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Rules and Regulations

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Docket No. 3666; Order No. 65]

PARTS 71–79—EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Miscellaneous Amendments

At a session of the Interstate Commerce Commission, Safety and Service Board No. 2—Explosives and Other Dangerous Articles Board, held at Washington, D.C., on the 21st day of September 1964.

The matter of certain regulations governing the transportation of explosives and other dangerous articles, formulated and published by the Commission, being under consideration, and

It appearing, That Notice No. 65, dated June 5, 1964, setting forth certain proposed amendments to the said regulations, and the reasons therefor, and stating that consideration was to be given thereto, was published in the FEDERAL REGISTER on June 25, 1964 (29 F.R. 8067), pursuant to the provisions of Section 4 of the Administrative Procedure Act; that pursuant to said Notice interested parties were given an opportunity to be heard with respect to said proposed amendments; that written views or arguments were submitted to the Commission with respect to the proposed amendments;

And it further appearing, That said views and arguments with respect to the proposed amendments are such as to warrant revision at this time of certain of the proposed amendments, and that in all other respects the proposed amendments set forth in the above-referred-to Notice No. 65 are deemed justified and necessary;

It is ordered, That the aforesaid regulations governing the transportation of explosives and other dangerous articles be, and they are hereby, amended in the manner and to the extent set forth in Appendix A attached to said Notice No. 65, dated June 5, 1964, as revised by the specific deletions, modifications, and additions set forth as follows:

Amend § 73.264 paragraph (b) (6).

In Part 79 Index, amend Subparts C, D, E, and F headings.

In Part 79 Index, amend §§ 79.103, 79.104, and 79.500.

In § 79.6 amend paragraph (a).

In § 79.11 amend paragraph (a).

In § 79.12–2 paragraph (b) table, amend the 2d line in the column headed "Minimum thickness" to read "0.175 inch [1]"; add footnote 1 to the table to read "[1] Nominal thickness."

In § 79.100–3 paragraph (a), amend the 1st two sentences.

In § 79.100–4 amend paragraph (a).

In § 79.100–6 paragraph (a), amend the line reading "t=minimum thickness of plate in inches" to read "t=minimum design thickness of plate in inches."

In § 79.100–7 paragraph (a), delete the last two phrases reading "Minimum tensile strength 81,000 psi. Elongation in 2 inch minimum percent 21.0"; in paragraph (a) table, insert as the last entry "ASTM A 302 Gr. B" in the column headed "Specifications," "80,000" in the middle column, and "20" in the remaining column.

In § 79.100–7 add paragraph (a) (2).

In § 79.100–7 paragraph (b) table, insert between the 4th and 5th entries "ASTM B 209 Alloy 5083 [2]" in the column headed "Specifications," "40,000" in the middle column, and "16" in the remaining column; add footnate 2 to the table.

In § 79.100–12 paragraph (a), 1st sentence, change "obrotund" to read "obround."

In § 79.100–14 paragraph (a), 1st sentence, change § 79.103 to "§ 79.103–3."

In § 79.100–15 paragraph (a), amend the 1st sentence, combine the last two sentences and add a new sentence.

In § 79.101–1 paragraph (a) table, under the columns headed "109A300W," "112A400W," and "112A500W," change $1\frac{1}{16}$ to "$1\frac{1}{16}$ [1]".

In § 79.101–1 paragraph (a) table, amend footnote 8.

In § 79.102–1 introductory text of paragraph (a), change the capital L in "Liquefied" to lower case; in paragraph (a) (3), 1st sentence, change "frangible disc device" to read "safety vent."

In § 79.102–4 paragraph (a) (2), 1st sentence, change "frangible disc device" to read "safety vent."

In § 79.103–1 amend paragraph (e).

In § 79.104–4 paragraph (a), change "must" to "shall."

In § 79.200–4 paragraph (a), amend the last sentence.

In § 79.200–6 paragraph (a), amend the line reading "t=minimum thickness of plate in inches" to read "t=minimum design thickness of plate in inches;" in paragraph (b), 1st line, delete "or 3: 1 ellipsoidal."

In § 79.200–7 paragraph (b), amend the table.

In § 79.200–16 paragraph (d), 2d sentence, change "shall" to "may."

In § 79.200–18 paragraph (a) (1), add as the last sentence "See AAR Specifications for Tank Cars, Appendix A, for formula for calculating discharge capacity."

In § 79.201–2 paragraph (a), amend the text preceding the table and amend footnote 1 to table.

In § 79.201–3 paragraph (a), delete the 4th sentence reading: "As an alternate method, the lining may be joined with a skived butt seam then capped with a separate strip of lining 3 inches wide and beveled to an angle of 45 degrees."

In § 79.201–4 paragraph (a) change the reference to § 79.200–7(c) (1) to read "§ 79.200–7(c)."

In § 79.201–5 paragraph (a), change the reference to § 79.200–7(c) (1) to read "§ 79.200–7(c)."

In § 79.202–6 paragraph (a), amend the 1st line to read "(a) Specs. ICC–103, 103–W, 111A60–F–1, 111A60–W–1, and 111A100–W–1 tank cars used to."

In § 79.300–6 paragraph (a), amend the line reading "t=minimum thickness of plate in inches" to read "t=minimum design thickness of plate in inches."

In § 79.300–15 paragraph (a), 2d sentence, change the figure 75 to "82.5"; add as the last sentence "See AAR Specifications for Tank Cars, Appendix A, for formula for calculating discharge capacity."

In § 79.300–16 introductory text of paragraph (a), 3d sentence, change "must" to "shall."

In § 79.301 paragraph (a) table, in the column headed "106A800–X" change the figure $1\frac{3}{32}$ to "$1\frac{1}{16}$."

In § 79.302 paragraph (a) table, add as the 10th, 12th, and 13th commodity names "Nitrosyl chloride," "Chlorpicrin" and "Hydrofluoric acid" respectively; add footnote 4 to the table.

In § 79.400–2 paragraph (a), change the word "in" to "for."

In § 79.400–5 paragraph (a), amend the line reading "t=minimum thickness of plate in inches" to read "t=minimum design thickness of plate in inches."

In § 79.400–6 paragraph (a), 1st sentence, delete the word "degrees."

In § 79.400–8 paragraph (b), amend the 1st sentence following the paragraph heading.

In § 79.400–15 paragraph (d), amend the 1st sentence following the paragraph heading.

In § 79.400–15 introductory text of paragraph (e), delete the horizontal line under the formula $W=0.78\sqrt{Rt}$; amend the last three sentences of the introductory text.

In § 79.400–15 paragraphs (e) (1) and (2), at the five places where "Pc" is used, change to "P_c" indicating the letter "c" as a subletter.

In § 79.400–15 amend paragraph (f).

In § 79.400–17 paragraph (f), amend the last sentence.

In § 79.400–18 paragraph (a), amend the last sentence.

In § 79.400–18 amend paragraph (b), introductory text of paragraphs (c) and (c) (1).

In § 79.400–18 paragraph (c) (2), 1st sentence, delete the hyphens in "start-to-discharge"; add last sentence; in paragraph (c) (3), 2d sentence, delete the hyphens in "start-to-discharge"; in paragraph (c) (4) (i) change "frangible disc" to "safety vent" in the 1st sentence.

In § 79.400–18 paragraph (d), amend the last sentence and amend paragraph (e).

In § 79.400–20 paragraph (a) (5), amend the 1st sentence.

In § 79.400–22 paragraph (a), third sentence, change the fourth word "should" to "shall"; in the fifth sentence insert the word "relief" between "safety" and "devices."

In § 79.400–23 paragraphs (a) (1), (4), and (5), change number 2 in the last sentence to "1½."

In § 79.401 paragraph (a) table, in the column headed, "ICC Specification," amend the 8th line reading "Frangible disc, maximum" to read "Safety vent, maximum"; in the same column, amend the 19th line reading "Casing frangible disc," to read "Outer shell safety vent,".

In §§ 79.500–1, 79.500–7, and 79.500–16, change the word "must" to "shall" in certain places.

In § 79.500–3 delete paragraph (b) and redesignate paragraphs (c), (d), and (e) as (b), (c), and (d) respectively.

In § 79.500–6 paragraph (a), amend the second sentence.

In § 79.500–10 amend paragraph (a).

In § 79.500–12 amend the heading and paragraph (a).

In § 79.500–12 paragraph (b), amend the 1st sentence.

In § 79.500–14, amend paragraph (b).

In § 79.500–16 heading and paragraph (b), insert the word "relief" between "safety" and "devices."

In § 79.500–18 paragraph (a), delete the last sentence.

It is further ordered, That this order shall become effective December 19, 1964, and shall remain in effect until further order of the Commission;

It is further ordered, That compliance with the herein prescribed and amended regulations is hereby authorized on and after the date of service of this order;

And it is further ordered, That copies of this order be served upon all parties of record herein, and that notice shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and, by filing a copy thereof with the Director, Office of the FEDERAL REGISTER.

(62 Stat. 738, 74 Stat. 808; 18 U.S.C. 834)

By the Commission, Safety and Service Board No. 2—Explosives and Other Dangerous Articles Board.

[SEAL] HAROLD D. McCOY, *Secretary.*

PART 73—SHIPPERS

Subpart C—Flammable Liquids; Definition and Preparation

In § 73.119 amend paragraphs (a) (12); (e) (2); (f) (3) and (4); and (h) (26 F.R. 9400, Oct. 6, 1961) (21 F.R. 7599, Oct. 4, 1956) (16 F.R. 9374, Sept. 15, 1951) (24 F.R. 3596, May 5, 1959) (16 F.R. 5323, June 6, 1951) to read as follows:

§ 73.119 Flammable liquids not specifically provided for.

(a) * * *

(12) Spec. 103,[2] 103–W, 103AL–W, 103D–W, 104,[2] 104–W, 105A100,[2] 105A-100AL–W 105A100–W, 106A500,[2] 106A-500–X, 106A800–X–NC, 106A800–NCI,[2] 110A500–W, 111A60AL–W, 111A60–F–1, 111A60–W–1, 111A100–W–3, 111A100–W–4, 111A100–W–6, 112A200–W, 112A400–F, 114A340–W, ARA–II,[2] ARA–III,[2] ARA–IV,[2] or ARA–IV–A[2] (§§ 79.100, 79.101, 79.200, 79.201, 79.300, and 79.301 of this chapter). Tank cars. For cars equipped with expansion domes, manway closures must be so designed that pressure will be released automatically by starting the operation of removing the manway cover. Openings in tank heads to facilitate application of lining are authorized and must be closed in an approved manner. (See § 73.432 for shipping instructions.)

* * * * *

(e) * * *

(2) Spec. 103,[2] 103–W, 103AL–W, 103D–W, 104,[2] 104–W, 105A100,[2] 105A100AL–W, 105A100–W, 106A500,[2] 106A500–X, 106A-800–X–NC, 106A800–NCI,[2] 110A500–W, 111A60AL–W, 111A60–F–1, 111A60–W–1, 111A100–W–3, 111A100–W–4, 111A100–W–6, 112A200–W, 112A400–F, 114A340–W, ARA–II,[2] ARA–III,[2] ARA–IV,[2] or ARA–IV–A[2] (§§ 79.100, 79.101, 79.200, 79.201, 79.300, and 79.301 of this chapter). Tank cars. Cars having expansion domes must be equipped with manway closures, identification marks, and dome placards as prescribed in (f) (4), (g), (h), and (h) (1) of this section. Openings in tank heads to facilitate application of lining are authorized and must be closed in an approved manner. (See Note 1 of paragraph (f) (3) of this section.)

* * * * *

(f) * * *

(3) Spec. 105A100,[2] 105A100AL–W, 105A100–W, 106A500,[2] 106A500–X, 106A 800–X–NC, 106A800–NCI,[2] 110A500–W, 111A100–W–4, 112A200–W, 112A400–F, 114A340–W, or ARA–IV–A,[2] (§§ 79.100, 79.101, 79.200, 79.201, 79.300, 79.301 of this chapter) or (see Note 1 of this subparagraph). Tank cars. Spec. 104,[1] 104–W, 111A100–W–3 and ARA–IV[1] (§§ 79.200, 79.201 of this chapter) tank cars are authorized under the conditions prescribed in paragraphs (f) (4), (g), (h), and (h) (1) of this section and Note 3 of this subparagraph. Openings in tank heads to facilitate application of lining are authorized and must be closed in an approved manner.

NOTE 1: Tanks built in compliance with American Railway Association specifications for class IV–A[1] tank cars authorized for use effective October 1, 1925, may be continued in service for the transportation of ethyl chloride and other liquids which do not have a vapor pressure exceeding 28 pounds per square inch, gauge pressure, at 100 F, provided there is stenciled on each side of the tank immediately below the valve protecting housing the words "Liquids having vapor pressure exceeding 28 pounds per square inch at 100 F. must not be loaded into this tank" in letters and figures at least 1 inch high. These tank cars must be retested as prescribed in current spec. 105A100–W except that safety valves must open at pressure not exceeding 35 pounds, and be vapor tight at 28 pounds per square inch.

(No change in Note 2.)

NOTE 3: Spec. 104[1] or 104–W or ARA–IV[1] tank cars are authorized provided that they are equipped with approved fittings designed to provide for the loading, unloading, gauging, sampling, and taking temperature of the contents without removing the manway closure; that safety valves are set to open at pressure of 35 pounds (with a tolerance of plus or minus 3 pounds), and are vapor tight at 28 pounds per square inch gauge pressure; that bottom discharge outlets are of the same type as authorized for specification 104[1] or 104–W tank cars; and that there is stenciled on each side of the tank above the specification mark, in letters and figures at least 1 inch high, "For vapor pressures not exceeding 40 pounds per square inch, absolute, at 100 F." Because of the present emergency and until further order of the Commission, spec. ICC–104[1] or 104–W tank cars, equipped with safety valves set to open at pressure of 35 pounds (with a tolerance of plus or minus 3 pounds) and which are vapor tight at 28 pounds per square inch, gauge pressure, are authorized provided that they are stenciled as required above.

(4) Spec. 103,[1] 103–W, 103AL–W, 104,[1] 104–W, 111A60AL–W, 111A60–F–1, 111A60–W–1, ARA–II,[1] ARA–III,[1] or ARA–IV[1] (§§ 79.200, 79.201 of this chapter). Tank cars. Cars must have their manway closures equipped with approved safeguards making removal of closures from manway openings practically impossible while car interior is subjected to vapor pressure of lading. These cars must be stenciled on each side of domes in line with the ladders, and in a color contrasting to the color of the dome, with the identification mark as prescribed in paragraph (g) of this section.

* * * * *

(h) *Dome placards.* Spec. 103,[1] 103AL–W, 103–W, 104,[1] 104–W, 111A60AL–W, 111A60–F–1, 111A60–W–1, ARA–II,[1] ARA–III,[1] or ARA–IV[1] (§§ 79.200, 79.201 of this chapter). Tank cars. Cars loaded with materials described in paragraphs (e) and (f) of this section must, in addition to the "Dangerous" placards, be protected by special dome placards, at least 4⅛ by 10⅞ inches, with legible wording as follows:

(No change in placard or Note 1.)

In § 73.123 amend paragraph (a) (5) (27 F.R. 11852, Dec. 1, 1962) to read as follows:

§ 73.123 Ethyl chloride.

(a) * * *

(5) Spec. 105A100,[1] 105A100–W, 111A100–W–4, 112A200–W, 112A400–F, or ARA–IV–A[1] (§§ 79.100, 79.101 of this chapter). Tank cars. See Note 1 of § 73.119 (f) (3). (See § 73.432 for shipping instructions.)

* * * * *

In § 73.124 amend paragraph (a) (5) and Note 1 (25 F.R. 6625, July 14, 1960)

[2] Use of existing tank cars authorized, but new construction not authorized.

[1] Use of existing tank cars authorized, but new construction not authorized.

(21 F.R. 4564, June 26, 1956) to read as follows:

§ 73.124 Ethylene oxide.

(a) * * *

(5) Spec. 105A100,[1] 105A100–W, 111A100–W–4, or ARA–IV–A [1] (§§ 79.100, 79.101, 19.200, 79.201 of this chapter). Tank cars. Spec. 105A200–W, 105A300–W, 105A400–W, 105A500–W and 105A600–W (§§ 79.100, 79.101 of this chapter) must be restenciled 105A100–W and be equipped with safety valves of the type and size used on spec. 105A100–W tank cars. Openings in tank heads to facilitate application of nickel lining are authorized and must be closed in an approved manner. See Note 1 of § 73.119 (f)(3). (See § 73.432 for shipping instructions.)

NOTE 1: Because of the present emergency and until further order of the Commission, specification ARA–IV [1] and ICC–104 [1] and 104–W (§§ 79.200, 79.201, of this chapter) tank cars, converted as follows, are authorized for use. Tanks must be tested to 75 pounds per square inch hydrostatic pressure and show no leakage with lagging removed. Bottom discharge outlet must be removed, the opening closed with a riveted plate, and a sump applied. Safety valves must be removed and replaced by two safety valves of the type and size used on ICC–105A100 [1] or 105A100–W (§§ 79.100, 79.101 of this chapter) tank cars but set to open at 60 pounds per square inch instead of 75 pounds. The various approved dome fittings now required on ICC–105A100 [1] or 105A100–W tank cars, must be installed in an approved manner to provide for the loading, unloading, guaging, sampling, and taking of temperature of contents without removing the manway closure. Tank jacket must be stenciled immediately above the mark ARA–IV,[1] ICC–104,[1] or ICC–104–W with the words "For Ethylene Oxide Only."

In § 73.125 amend paragraph (a)(4) (15 F.R. 8301, Dec. 2, 1950) to read as follows:

§ 73.125 Alcohol.

(a) * * *

(4) Because of the present emergency and until further order of the Commission, existing tank cars complying with spec. 103,[1] 103–W, ARA–III,[1] AAR 203,[1] or AAR 203–W [1] (§§ 79.200, 79.201 of this chapter), previously used for the transportation of wine, are authorized when stenciled "Alcohol Only" and equipped with safety valves of the type required on spec. 103 [1] tank cars.

* * * * *

In § 73.134 amend paragraph (a)(2) (26 F.R. 4995, June 6, 1961) to read as follows:

§ 73.134 Aluminum triethyl, aluminum trimethyl, pyroforic fuel, pyroforic solutions, zinc ethyl, triisobutyl aluminum, ethyl aluminum sesquichloride, diethyl aluminum chloride, ethyl aluminum dichloride, methyl aluminum sesquichloride, methyl aluminum sesquibromide, methylmagnesium bromide in ethyl ether in concentrations not over 40 percent, and mixtures or solutions thereof.

(a) * * *

(2) Spec. 105A300–W, 106A500,[1] 106A500–X, or 110A500–W (§§ 79.100, 79.101, 79.300, 79.301 of this chapter) tank cars. Authorized for aluminum triethyl, aluminum trimethyl, and mixtures or solutions thereof, pyroforic fuel, and triisobutyl aluminum, ethyl aluminum sesquichloride, diethyl aluminum chloride, ethyl aluminum dichloride, methyl aluminum sesquichloride, methyl aluminum sesquibromide, and mixtures or solutions thereof only. Specs. 106A500,[1] 106A500–X and 110A500–W tanks must not be filled to a density exceeding 80 percent of the water capacities of the tanks and tanks must be equipped with an approved spring-relief safety valve. Tanks must be loaded on cars and motor vehicles in such a manner that the safety relief valve will always be in the vapor phase.

(No change in Note 1.)

* * * * *

In § 73.135 amend paragraphs (a) (7) and (8) (22 F.R. 4790, July 9, 1957) to read as follows:

§ 73.135 Dimethyl dichlorosilane, ethyl dichlorosilane, ethyl trichlorosilane, methyl trichlorosilane, trimethyl chlorosilane, and vinyl trichlorosilane.

(a) * * *

(7) Spec. 103,[1] 103–W, 111A60–F–1, or 111A60–W–1 (§§ 79.200, 79.201 of this chapter). Tank cars, without bottom discharge outlet.

(8) Spec. 105A100,[1] 105A100–W, or 111A100–W–4 (§§ 79.100, 79.101, 79.200, 79.201 of this chapter). Tank cars.

* * * * *

In § 73.136 amend paragraphs (a) (6) and (7) (22 F.R. 4790, July 9, 1957) to read as follows:

§ 73.136 Methyl dichlorosilane and trichlorosilane.

(a) * * *

(6) Spec. 103,[1] 103–W, 111A60–F–1, or 111A60–W–1 (§§ 79.200, 79.201 of this chapter. Tank cars, without bottom discharge outlet.

(7) Spec. 105A100,[1] 105A100–W, or 111A100–W–4 (§§ 79.100, 79.101, 79.200, 79.201 of this chapter). Tank cars.

* * * * *

In § 73.141 amend paragraph (a)(7) (26 F.R. 9401, Oct. 6, 1961) to read as follows:

§ 73.141 Amyl mercaptan, butyl mercaptan, ethyl mercaptan, isopropyl mercaptan, propyl mercaptan, and aliphatic mercaptan mixtures.

(a) * * *

(7) Spec. 103–W, 105A100,[1] 105A100–W, 111A60–F–1, or 111A60–W–1 (§§ 79.100, 79.101, 79.200, 79.201 of this chapter). Tank cars. Specs. 103–W, 111A60–F–1, and 111A60–W–1 tank cars equipped with bottom outlets must have bottom outlets effectively sealed. Bottom washout permitted.

* * * * *

In § 73.145 amend paragraph (a)(6) (25 F.R. 6625, July 14, 1960) to read as follows:

§ 73.145 Dimethylhydrazine, unsymmetrical, and methylhydrazine.

(a) * * *

(6) Spec. 103–W, 103C–W, 105A100–W, or 111A100–W–4 (§§ 79.100, 79.101, 79.200, 79.201 of this chapter). Tank cars. Authorized for dimethylhydrazine, unsymmetrical only. Tank cars must be equipped with steel safety valves of approved design and 103–W tank cars must not be equipped with bottom outlets. Specs. 105A200–W, 105A300–W, 105A400–W, 105A500–W, and 105A600–W (§§ 79.100, 79.101 of this chapter) tanks must be restenciled 105A100–W and be equipped with safety valves of the type and size used on spec. 105A100–W tank cars.

* * * * *

In § 73.148 amend paragraph (a)(4) (25 F.R. 3100, Apr. 12, 1960) to read as follows:

§ 73.148 Monoethylamine.

(a) * * *

(4) Spec. 106A500,[1] 106A500–X, or 110A500–W (§§ 79.300, 79.301 of this chapter). Tank cars.

(No change in Note 1.)

* * * * *

Subpart D—Flammable Solids and Oxidizing Materials; Definition and Preparation

In § 73.163 amend paragraph (a)(6) (22 F.R. 4790, July 9, 1957) to read as follows:

§ 73.163 Chlorate of soda, chlorate of potash, and other chlorates.

(a) * * *

(6) Chlorates wet with 10 percent or more of water are authorized for shipment in tank cars, spec. 103,[1] 103–W, 111A60–F–1, or 111A60–W–1 (§§ 79.200, 79.201 of this chapter), when equally distributed therein.

* * * * *

In § 73.190 amend paragraph (b)(3) (23 F.R. 7647, Oct. 3, 1958) to read as follows:

§ 73.190 Phosphorus, white or yellow.

* * * * *

(b) * * *

(3) Spec. 103,[1] 103–W, 111A60–F–1 or 111A60–W–1 (§§ 79.200, 79.201 of this chapter). Tank cars without bottom outlet for discharge of lading and with approved dome fittings, external heater systems, and with insulation at least 4 inches in thickness, except that thickness of insulation may be reduced to 2 inches over external heater coils. Bottom washout nozzle of approved design may be applied. The material must be immersed in water or be blanketed with an inert gas and be loaded at a temperature not exceeding 140 F. The water must be loaded in the dome to not more than 50 percent of the capacity of the dome. After unloading, the tank must be filled to its entire capacity with an inert gas or to its entire capacity and the dome to not more than 50 percent of its capacity with water having a temperature not exceeding 140 F and placarded with the caution placard prescribed in § 74.555 of this chapter before the car is offered for return movement.

(No change in Note 1.)

[1] Use of existing tank cars authorized, but new construction not authorized.

In § 73.224 amend paragraph (a) (3) (24 F.R. 3597, May 5, 1959) to read as follows:

§ 73.224 Cumene hydroperoxide, dicumyl peroxide, diisopropylbenzene hydroperoxide, paramenthane hydroperoxide, and tertiary butylisopropyl benzene hydroperoxide.

(a) * * *

(3) Spec. 103,[1] 103–W, 103A,[1] 103A–W, 111A60–F–1, 111A60–W–1, 111A100–F–2 or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars. Authorized for 90 percent or less cumene hydroperoxide in a nonvolatile solvent, paramenthane hydroperoxide of strength not exceeding 60 percent in a nonvolatile solvent and diisopropylbenzene hydroperoxide of strength not exceeding 60 percent in a nonvolatile solvent only. Specs. 103,[1] 103–W, 111A60–F–1 and 111A60–W–1 tank cars must have bottom outlets effectively sealed from the inside.

* * * * *

Subpart E—Acids and Other Corrosive Liquids; Definition and Preparation

In § 73.247 amend paragraphs (a) (13), (14), (16) (27 F.R. 11853, Dec. 1, 1962) (26 F.R. 4996, June 6, 1961) to read as follows:

§ 73.247 Acetyl chloride, antimony pentachloride, benzoyl chloride, chromyl chloride, pyro sulfuryl chloride, silicon chloride, sulfur chloride (mono and di), sulfuryl chloride, thionyl chloride, tin tetrachloride (anhydrous), and titanium tetrachloride.

(a) * * *

(13) Spec. 103A,[1] 103A–W, 105A300–W, 111A–100–F–2, or 111A100–W–2 (§§ 79.100, 79.101, 79.200, 79.201 of this chapter) tank cars, except that for tin tetrachloride (anhydrous) spec. 105A300–W tank cars must be used.

(14) Spec. 103A,[1] 103A–W, 111A100–F–2, or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars. Authorized for titanium tetrachloride, anhydrous only. Tank cars shall have safety valves of approved design and not subject to rapid deterioration by the lading.

* * * * *

(16) Spec. 106A500,[1] 106A500–X, or 110A500–W (§§ 79.300, 79.301 of this chapter). Tank cars. Authorized for antimony pentachloride and titanium tetrachloride (anhydrous) only. Titanium tetrachloride (anhydrous) tanks must not be equipped with safety devices.

In § 73.248 amend paragraphs (a) (4), (5) (22 F.R. 4790, July 9, 1957) to read as follows:

§ 73.248 Acid sludge, sludge acid, spent sulfuric acid, or spent mixed acid.

(a) * * *

(4) Spec. 103A,[1] 103A–W, 111A100–F–2, or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars, provided the product is sufficiently liquid to be unloaded through the dome or manway.

(5) Spec. 103,[1] 103–W, 111A60–F–1, or 111A60–W–1 (§§ 79.200, 79.201 of this chapter). Tank cars, provided the product is too viscous to be unloaded through the dome or manway.

* * * * *

In § 73.249 amend paragraph (a) (5) (23 F.R. 7648, Oct. 3, 1958) to read as follows:

§ 73.249 Alkaline corrosive liquids, n.o.s., alkaline caustic liquids, n.o.s., alkaline corrosive battery fluids, and sodium aluminate, liquid.

(a) * * *

(5) Spec. 103[1], 103–W, 103A[1], 103A–W, 103B[1], 103B–W, 104[1], 104–W, 105A100[1], 105A100–W, 111A60–F–1, 111A60–W–1, 111A100–F–2, 111A100–W–2, 111A100–W–3, 111A100–W–4, or 111A100–W–5 (§§ 79.100, 79.101, 79.200, 79.201 of this chapter). Tank cars.

* * * * *

In § 73.251 amend paragraph (a) (2) (21 F.R. 9357, Nov. 30, 1956) to read as follows:

§ 73.251 Boron trichloride.

(a) * * *

(2) Spec. 105A300–W, 106A500,[1] or 106A500–X (§§ 79.100, 79.101, 79.300, 79.301 of this chapter). Tank cars.

* * * * *

In § 73.253 amend paragraph (a) (7) (26 F.R. 4996, June 6, 1961) to read as follows:

§ 73.253 Chloracetyl chloride.

(a) * * *

(7) Spec. 103A–W, 111A100–F–2, or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars. Tanks must have a nickel cladding of 1/16 inch minimum thickness. Nickel cladding in tanks must have a minimum nickel content of at least 99 percent pure nickel.

* * * * *

In § 73.254 amend paragraph (a) (4) (22 F.R. 4790, July 9, 1957) to read as follows:

§ 73.254 Chlorosulfonic acid and mixtures of chlorosulfonic acid-sulfur trioxide.

(a) * * *

(4) Spec. 103A,[1] 103A–W, 103C–W, 103E–W, 111A100–F–2, or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars.

* * * * *

In § 73.255 amend paragraph (a) (4) (22 F.R. 4790, July 9, 1957) to read as follows:

§ 73.255 Dimethyl sulfate.

(a) * * *

(4) Spec. 103A,[1] 103A–W, 111A100–F–2, or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars.

* * * * *

In § 73.262 amend paragraph (a) (6) (23 F.R. 7648, Oct. 3, 1958) to read as follows:

§ 73.262 Hydrobromic acid.

(a) * * *

(6) Spec. 103B,[1] 103B–W, or 111A100–W–5 (§§ 79.200, 79.201 of this chapter). Tank cars.

* * * * *

In § 73.263 amend paragraph (a) (9) (23 F.R. 7648, Oct. 3, 1958) to read as follows:

§ 73.263 Hydrochloric (muriatic) acid, hydrochloric (muriatic) acid mixtures, hydrochloric (muriatic) acid solution, inhibited, sodium chlorite solution, and cleaning compounds, liquid, containing hydrochloric (muriatic) acid.

(a) * * *

(9) Spec. 103B,[1] 103B–W or 111A100–W–5 (§§ 79.200, 79.201 of this chapter). Tank cars. Authorized for acid not over 38 percent strength by weight. Except for hydrochloric (muriatic) acid of 22° Baume strength, and other fuming acids, safety vent of approved design equipped with frangible disc having 1/8 inch breather hole in the center thereof or a safety vent of approved design equipped with carbon discs permitting continuous venting may be used.

(No change in Note 1.)

* * * * *

In § 73.264 amend paragraphs (a) (8), (11), (b) (2), (6) and Note 1 (22 F.R. 4790, July 9, 1957) (23 F.R. 7648, Oct. 3, 1958) (22 F.R. 2226, Apr. 4, 1957) to read as follows:

§ 73.264 Hydrofluoric acid.

(a) * * *

(8) Spec. 103A,[1] 103A–W, 105A100,[1] 105A100–W, 111A100–F–2, 111A100–W–2, 111A100–W–4, or ARA–IV[1] (§§ 79.100, 79.101, 79.200, 79.201, of this chapter). Unlined metal tanks which have been subjected to adequate passivity or neutralization process. (See Note 1 to subparagraph (7) of this paragraph.) Authorized only for acid of 60 to 80 percent strength. If tanks are washed out with water they must be resubjected to passivity before reshipment.

(No change in Notes.)

* * * * *

(11) Spec. 103B,[1] 103B–W, or 111A100–W–5 (§§ 79.200, 79.201 of this chapter). Tank cars, rubber-lined tanks. Authorized only for acid not over 40 percent strength.

* * * * *

(b) * * *

(2) Spec. 105A300–W, 112A400–W or ARA–V[1] (§§ 79.100, 79.101 of this chapter). Tank cars equipped with special valves and appurtenances approved for this particular service. Filling density must not exceed 90 percent of the pounds water weight capacity of the tank.

* * * * *

(6) Spec. 106A500[1] or 106A500–X (§§ 79.300 and 79.301 of this chapter). Tank cars. Tanks shall not be equipped with safety devices of any type and valves shall be protected by metal caps. Tanks shall be filled to a density not exceeding 85 percent of the water weight capacity of the tank.

NOTE 1: Tanks complying with ICC–106A (§§ 79.300 and 79.301 of this chapter) specification may be transported in or on motor vehicles and in the manner authorized in § 77.840(c) of this chapter, provided adequate facilities are present for handling tanks where transfer in transit is necessary. Tanks must be securely chocked or clamped thereon to prevent shifting.

* * * * *

In § 73.265 amend paragraph (b) (3) (23 F.R. 7648, Oct. 3, 1958) to read as follows:

[1] Use of existing tank cars authorized, but new construction not authorized.

§ 73.265 Hydrofluosilicic acid.

* * * * *

(b) * * *

(3) Spec. 103B,[1] 103B–W, or 111A100–W–5 (§§ 79.200, 79.201 of this chapter). Tank cars, rubber-lined tanks.

* * * * *

In § 73.267 amend paragraph (a) (3) (22 F.R. 4790, July 9, 1957) to read as follows:

§ 73.267 Mixed acid (nitric and sulfuric acid) (nitrating acid).

(a) * * *

(3) Spec. 103A,[1] 103A–W, 111A100–F–2, or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars. (See paragraph (b) of this section.)

* * * * *

In § 73.271 amend paragraphs (a) (9) and (11) (25 F.R. 6626, July 14, 1960) (23 F.R. 7648, Oct. 3, 1958) to read as follows:

§ 73.271 Phosphorus oxybromide, phosphorus oxychloride, phosphorus trichloride, and thiophosphoryl chloride.

(a) * * *

(9) Spec. 103A,[1] 103A–W, 111A100–F–2, or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars. Spec. 103A,[1] tanks must be lead-lined steel or made of steel at least 10 percent nickel clad. Spec. 103A–W, 111A100–F–2, or 111A100–W–2 tanks must be lead-lined steel or made of steel with a minimum thickness of nickel cladding 1/16 inch. Nickel cladding in tanks must have a minimum nickel content of at least 99 percent pure nickel.

* * * * *

(11) Spec. 103A,[1] 103A–W, 111A100–F–2, or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars. Authorized for phosphorus trichloride only.

* * * * *

In § 73.272 amend paragraphs (h) (3), (i) (4) (27 F.R. 11853, Dec. 1, 1962) (23 F.R. 7649, Oct. 3, 1958) to read as follows:

§ 73.272 Sulfuric acid.

* * * * *

(h) * * *

(3) Spec. 103A,[1] 103A–W, 111A100–F–2, or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars. Tank cars used for sulfuric acid, mixed acid (nitric and sulfuric) (nitrating acid), and other fuming acids, may be equipped with safety vents incorporating lead discs having a 1/8 inch breather hole in the center thereof. The 1/8 inch breather hole in lead discs of safety vents on oleum tank cars is not permitted.

(i) * * *

(4) Spec. 103B,[1] 103B–W, or 111A100–W–5 (§§ 79.200, 79.201 of this chapter). Tank cars.

* * * * *

In § 73.273 amend paragraph (a) (4) (24 F.R. 8058, Oct. 6, 1959) to read as follows:

§ 73.273 Sulfur trioxide, stabilized.

(a) * * *

(4) Spec. 103A,[1] 103A–W, 105A300–W, 111A100–F–2, or 111A100–W–2 (§§ 79.100, 79.101, 79.200, 79.201 of this chapter). Tank cars. Authorized only for stabilized sulfur trioxide. Tank cars shall have safety valves of approved design and not subject to rapid deterioration by the lading. Cars equipped with interior hearter coils not permitted.

* * * * *

In § 73.274 amend paragraph (a) (3) (22 F.R. 4791, July 9, 1957) to read as follows:

§ 73.274 Fluosulfonic acid.

(a) * * *

(3) Spec. 103A,[1] 103A–W, 111A100–F–2, or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars.

* * * * *

In § 73.276 amend paragraph (a) (4) (27 F.R. 11853, Dec. 1. 1962) to read as follows:

§ 73.276 Anhydrous hydrazine and hydrazine solution.

(a) * * *

(4) Spec. 103C–W or 111A100–W–6 (§§ 79.200, 79.201 of this chapter). Tank cars having tanks of type 304L or 347 stainless steel with molybdenum content not exceeding one-half of one percent. Spec. 111A100–W–6 tanks must not be equipped with bottom outlets. Vapor space in tanks must be filled with nitrogen gas at atmospheric pressure.

* * * * *

In § 73.280 amend paragraph (a) (7) (22 F.R. 4791, July 9, 1957) to read as follows:

§ 73.280 Allyl trichlorosilane, amyl trichlorosilane, butyl trichlorosilane, cyclohexenyl trichlorosilane, cyclohexyl trichlorosilane, diethyl dichlorosilane, diphenyldichlorosilane, dodecyl trichlorosilane, ethyl phenyl dichlorosilane, hexadecyl trichlorosilane, hexyl trichlorosilane, nonyl trichlorosilane, octadecyl trichlorosilane, octyl trichlorosilane, phenyl trichlorosilane, and propyl trichlorosilane.

(a) * * *

(7) Spec. 103–W, 103A,[1] 103A–W, 105A100,[1] 105A100–W, 111A60–F–1, 111A60–W–1, 111A100–F–2, 111A100–W–2, or 111A100–W–4 (§§ 79.100, 79.101, 79.200, 79.201 of this chapter). Tank cars.

* * * * *

In § 73.285 amend paragraph (a) (3) (26 F.R. 9402, Oct. 6, 1961) to read as follows:

§ 73.285 Chlorine trifluoride.

(a) * * *

(3) Spec. 106A500,[1] 106A500–X or 110A500–W (§§ 79.300, 79.301 of this chapter). Tank cars equipped with solid steel plugs in lieu of fusible plug safety devices and valve protection caps.

In § 73.291 amend paragraph (a) (8) (23 F.R. 7649, Oct. 3, 1958) to read as follows:

§ 73.291 Flame retardant compound liquid.

(a) * * *

(8) Spec. 103B,[1] 103B–W, or 111A100–W–5 (§§ 79.200, 79.201 of this chapter). Tank cars.

In § 73.294 amend paragraphs (a) (2), (b) (25 F.R. 6626, July 14, 1960) to read as follows:

§ 73.294 Monochloroacetic acid, liquid.

(a) * * *

(2) Spec. 103A–N–W, 103A–W, 111A100–F–2, or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars. Spec. 103A–W, 111A100–F–2, or 111A100–W–2 tank cars must be nickel clad at least 20 percent.

* * * * *

(b) Monochloroacetic acid, anhydrous, when shipped as a liquid must be shipped in spec. 103A–W (§§ 79.200 and 79.201 of this chapter) tank cars with suitable corrosion resistant coatings or linings.

In § 73.295 amend paragraph (a) (11) (25 F.R. 6626, July 14, 1960) to read as follows:

§ 73.295 Benzyl chloride.

(a) * * *

(11) Spec. 103A,[1] 103A–W, 111A100–F–2, or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars which may be 10 percent nickel clad. Authorized for stabilized benzyl chloride only.

* * * * *

In § 73.296 amend paragraph (a) (3) (24 F.R. 8058, Oct. 6, 1959) to read as follows:

§ 73.296 Di iso octyl acid phosphate.

(a) * * *

(3) Spec. 103A–W, 103C–W, 103E–W, 111A100–F–2, or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars.

In § 73.297 amend paragraph (a) (2) (25 F.R. 6627, July 14, 1960) to read as follows:

§ 73.297 Titanium sulfate solution containing not more than 45% sulfuric acid.

(a) * * *

(2) Spec. 103B,[1] 103B–W, or 111A100–W–5 (§§ 79.200, 79.201 of this chapter). Tank cars.

* * * * *

Subpart G—Poisonous Articles; Definition and Preparation

In § 73.333 amend paragraph (a) (2) (17 F.R. 9839, Nov. 1, 1952) to read as follows:

§ 73.333 Phosgene or diphosgene.

(a) * * *

(2) Spec. 106A500,[1] or 106A500–X (§§ 79.300, 79.301 of this chapter). Tank cars. Each container must be equipped with valve protection caps, gastight, which must be approved by the Bureau of Explosives; containers must not be equipped with safety devices of any type; containers must be filled so that they will not be liquid full at 130° F. Authorized only for phosgene.

(No change in Note 1.)

* * * * *

[1] Use of existing tank cars authorized, but new construction not authorized.

In § 73.336 amend paragraphs (a) (3) and (4) (16 F.R. 9378, Sept. 15, 1951) (27 F.R. 6738, July 17, 1962) to read as follows:

§ 73.336 Nitrogen dioxide, liquid, nitrogen peroxide, liquid, and nitrogen tetroxide, liquid.

(a) * * *

(3) Spec. 106A500,[1] or 106A500–X (§§ 79.300, 79.301 of this chapter). Tank cars. Each container must be equipped with valve protection caps, gas-tight, which must be approved by the Bureau of Explosives; containers must not be equipped with safety devices of any type; containers must be filled so that they will not be liquid full at 130° F.

(No change in Note 1.)

(4) Spec. 105A500–W (§§ 79.100, 79.101 of this chapter). Tank cars. Authorized for nitrogen tetroxide only. Tanks must be lagged with not less than a four-inch thickness of cork. All valves and fittings shall be protected by a securely attached cover made of metal not subject to deterioration by the lading, and all valve openings, except the safety valve, shall be fitted with screw plugs or caps to prevent leakage in the event of valve failure. Safety valve must be equipped with an approved stainless steel or platinum frangible disc. Tank must be stenciled on both sides in letters not less than 2 inches high "NITROGEN TETROXIDE ONLY." Written procedure covering details of tank car appurtenances, dome fittings and safety devices, and marking, loading, handling, inspection, and testing practices shall be filed with and approved by the Bureau of Explosives before any tank car is offered for transportation of nitrogen tetroxide.

In § 73.338 amend paragraphs (a) (3) and (4) (26 F.R. 9403, Oct. 6, 1961) (27 F.R. 6738, July 17, 1962) to read as follows:

§ 73.338 Nitrogen tetroxide-nitric oxide mixtures containing up to 33.2 percent weight nitric oxide.

(a) * * *

(3) Spec. 106A500,[1] or 106A500–X (§§ 79.300, 79.301 of this chapter). Tank cars. Each container must be equipped with valve protection caps, gas-tight, which must be approved by the Bureau of Explosives; containers must not be equipped with safety devices of any type; containers must be filled so that they will not be liquid full at 130° F.

(No change in Note 1.)

(4) Spec. 105A500–W (§§ 79.100, 79.101 of this chapter). Tank cars. Tanks must be lagged with not less than a four-inch thickness of cork. All valves and fittings shall be protected by a securely attached cover made of metal not subject to deterioration by the lading and all valve openings, except the safety valve, shall be fitted with screw plugs or caps to prevent leakage in the event of valve failure. Safety valve must be equipped with an approved stainless steel or platinum frangible disc. Tank must be stenciled on both sides in letters not less than 2 inches high "NITROGEN TETROXIDE-NITRIC OXIDE MIXTURES ONLY." Written procedures covering details of tank car appurtenances, dome fittings and safety devices, and marking, loading, handling, inspection, and testing practices shall be filed with and approved by the Bureau of Explosives before any tank car is offered for transportation of nitrogen tetroxide-nitric oxide mixtures.

In § 73.346 amend paragraph (a) (10) (24 F.R. 3598, May 5, 1959) to read as follows:

§ 73.346 Poisonous liquids not specifically provided for.

(a) * * *

(10) Spec. 103,[1] 103–W, 103A,[1] 103AL–W, 103A–W, 104,[1] 104–W, 105A100,[1] 105A100–W, 111A60AL–W, 111A60–F–1, 111A60–W–1, 111A100–F–2, 111A100–W–2, 111A100–W–3, 111A100–W–4, or ARA–IV–A[1] (§§ 79.100, 79.101, 79.200, 79.201 of this chapter). Tank cars.

* * * * *

In § 73.347 amend paragraph (a) (2) (22 F.R. 4792, July 9, 1957) to read as follows:

§ 73.347 Aniline oil.

(a) * * *

(2) Spec. 103,[1] 103–W, 103A,[1] 103A–W, 111A60–F–1, 111A60–W–1, 111A100–F–2, or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars.

* * * * *

In § 73.352 amend paragraph (a) (4) (22 F.R. 4792, July 9, 1957) to read as follows:

§ 73.352 Liquid sodium or potassium cyanide.

(a) * * *

(4) Spec. 103,[1] 103–W, 103A,[1] 103A–W, 111A60–F–1, 111A60–W–1, 111A100–F–2, or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars.

* * * * *

In § 73.353 amend paragraphs (a) (5), (b) (22 F.R. 4792, July 9, 1957) to read as follows:

§ 73.353 Methyl bromide, liquid (bromomethane), mixtures of methyl bromide and ethylene dibromide, liquid, mixtures of methyl bromide and chlorpicrin, liquid, or methyl bromide and nonflammable, nonliquefied compressed gas mixtures, liquid.

(a) * * *

(5) Spec. 105A100,[1] 105A100–W, 106A500,[1] 106A500–X or 111A100–W–4 (§§ 79.100, 79.101, 79.200, 79.201, 79.300, 79.301 of this chapter). Tank cars.

(No change in Note 1.)

(b) Outage must be sufficient to prevent tank car from becoming entirely filled with liquid at the following temperature: Spec. 105A100,[1] 105A100–W, or 111A100–W–4 (§§ 79.100, 79.101, 79.200, 79.201 of this chapter) at 105 F; spec. 106A500,[1] or 106A500–X (§§ 79.300, 79.301 of this chapter) at 130 F.

In § 73.357 amend paragraph (b) (4) and Note 1 (16 F.R. 9379, Sept. 15, 1951) to read as follows:

§ 73.357 Chlorpicrin and chlorpicrin mixtures containing no compressed gas or poisonous liquid, class A.

* * * * *

(b) * * *

(4) Spec. 106A500[1] or 106A500–X (§§ 79.300, 79.301 of this chapter). Tank cars. Tanks shall not be equipped with safety devices of any type and valves shall be protected by metal caps. Outage shall be sufficient to prevent tanks from becoming liquid full at 130 F.

NOTE 1: Tanks complying with ICC–106A (§§ 79.300 and 79.301 of this chapter) specification may be transported in or on motor vehicles and in the manner authorized in § 77.840(c) of this chapter, provided adequate facilities are present for handling tanks where transfer in transit is necessary. Tanks must be securely chocked or clamped thereon to prevent shifting.

* * * * *

In § 73.359 amend paragraph (a) (13) (16 F.R. 11780, Nov. 21, 1951) to read as follows:

§ 73.359 Hexaethyl tetraphosphate mixtures, methyl parathion mixtures, organic phosphate compound mixtures, n.o.s., parathion mixtures, tetraethyl dithio pyrophosphate mixtures, and tetraethyl pyrophosphate mixtures, liquid.

(a) * * *

(13) Spec. 105A300–W (§§ 79.100 and 79.101 of this chapter). Tank cars. Authorized for organic phosphate compound mixtures, n.o.s., only.

* * * * *

In § 73.365 amend paragraph (a) (13) (22 F.R. 4792, July 9, 1957) to read as follows:

§ 73.365 Poisonous solids not specifically provided for.

(a) * * *

(13) Spec. 103,[1] 103–W, 103A,[1] 103A–W, 111A60–F–1, 111A60–W–1, 111A100–F–2, or 111A100–W–2 (§§ 79.200, 79.201 of this chapter). Tank cars.

* * * * *

In § 73.369 amend paragraph (a) (13) (24 F.R. 3598, May 5, 1959) to read as follows:

§ 73.369 Carbolic acid (phenol), not liquid.

(a) * * *

(13) Spec. 103,[1] 103–W, 103AL–W, 103A,[1] 103A–W, 103A–AL–W, 111A60AL–W, 111A60–F–1, 111A60–W–1, 111A100–F–2, 111A100–W–2 or 111A100–W–3 (§§ 79.200, 79.201 of this chapter). Tank cars.

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PART 78—SHIPPING CONTAINER SPECIFICATIONS

In Part 78, cancel Subpart I proper which includes the following sections in their entirety (15 F.R. 8373, Dec. 2, 1950) (21 F.R. 4566 thru 4610, 4613 thru 4628, June 26, 1956) (22 F.R. 2235, 2236, 2237, Apr. 4, 1957) (22 F.R. 4792 thru 4814, July 9, 1957) (22 F.R. 7843 thru 7847, Oct. 3, 1957) (22 F.R. 11033, Dec. 31, 1957) (23 F.R. 2326, 2333, 2334, 2335, Apr. 10, 1958) (23 F.R. 4032, 4033, June 10, 1958) (23 F.R. 7655 thru 7664, Oct. 3, 1958) (24 F.R. 3600 thru 3608, May 5,

[1] Use of existing tank cars authorized, but new construction not authorized.

1959) (24 F.R. 8061 thru 8064, Oct. 6, 1959) (25 F.R. 3106 thru 3110, 3113 thru 3116, Apr. 12, 1960) (25 F.R. 6628, July 14, 1960) (25 F.R. 10405 thru 10413, Oct. 29, 1960) (26 F.R. 4999 thru 5002, June 6, 1961) (26 F.R. 9405, 9406, Oct. 6, 1961) (27 F.R. 3432 thru 3436, Apr. 11, 1962) (27 F.R. 6742, July 17, 1962) (27 F.R. 11857 thru 11870, Dec. 1, 1962) (28 F.R. 14510, Dec. 31, 1963);

Add new Part 79 (15 F.R. 8373, 8557, Dec. 2, 1950) to read as follows:

PART 79—SPECIFICATIONS FOR TANK CARS

Subpart A—Introduction, Approvals and Reports

Sec.
79.1 General.
79.2 Definitions and abbreviations.
79.3 Procedure for securing approval.
79.4 Changes in specifications for tank cars.
79.5 Certificate of construction.
79.6 Repairs and alterations.

Subpart B—General Design Requirements

79.10 Tank mounting.
79.11 Welding certification.
79.12 Interior heater systems.

Subpart C—Specifications for Pressure Tank Car Tanks (Classes ICC–105A, 109A–W, 112A–W and 114A–W)

79.100 General specifications applicable to pressure tank car tanks.
79.101 Individual specification requirements applicable to pressure tank car tanks.
79.102 Special commodity requirements for pressure tank car tanks.
79.103 Special requirements for class 114A * * * tank car tanks.
79.104 Special requirements for class 105-A200–F tank car tanks.

Subpart D—Specifications for Non-Pressure Tank Car Tanks (Classes ICC–103, 104, 111A–F and 111A–W)

79.200 General specifications applicable to non-pressure tank car tanks.
79.201 Individual specification requirements applicable to non-pressure tank car tanks.
79.202 Special commodity requirements for non-pressure tank car tanks.

Subpart E—Specifications for Multi-Unit Tank Car Tanks (Classes ICC–106A and 110A–W)

79.300 General specifications applicable to multi-unit tank car tanks designed to be removed from car structure for filling and emptying.
79.301 Individual specification requirements for multi-unit tank car tanks.
79.302 Special commodity requirements for multi-unit tank car tanks.

Subpart F—Specifications for Liquefied Hydrogen Tank Car Tanks and Seamless Steel Tanks (Classes ICC–113A–W and 107A)

79.400 General specifications applicable to liquefied hydrogen tank car tanks.
79.401 Individual specification requirements for liquefied hydrogen tank car tanks.
79.500 Specification ICC–107A***, seamless steel tank car tanks.

AUTHORITY: The provisions of this Part 79 issued under 62 Stat. 738, 74 Stat. 808; 18 U.S.C. 834.

Subpart A—Introduction, Approvals and Reports

§ 79.1 General.

(a) The specifications in this part apply to tanks which are to be mounted on or form part of a tank car. Tanks when built shall comply with all applicable requirements of the specifications in effect at the time of construction. Tanks built to earlier specifications may continue in use as prescribed in § 73.31 of this chapter.

§ 79.2 Definitions and abbreviations.

(a) The following apply in Part 79:

(1) "AAR" means Association of American Railroads.

(2) "Approved" means approval by the AAR Committee on Tank Cars.

(3) "ASTM" means American Society for Testing and Materials.

(4) "Commission" means Interstate Commerce Commission.

(5) Definitions in Part 73 of this chapter also apply.

(6) "F" means degrees Fahrenheit.

(7) "NGT" means National Gas Taper Threads.

(8) "NPT" means American Standard Taper Pipe Thread.

(9) "psi" means pounds per square inch gauge.

(10) "Tanks" means tank car tanks.

§ 79.3 Procedure for securing approval.

(a) Application for approval of designs, materials and construction, conversion or alteration of tank car tanks under these specifications, complete with detailed prints, shall be submitted in prescribed form to the Secretary, Mechanical Division, AAR, for consideration by its Committee on Tank Cars and other appropriate committees. Approvals or rejections of applications, based on appropriate committee action, shall be issued by said Secretary.

(b) When, in the opinion of the Committee, such tanks or equipment therefor are in compliance with effective regulations and specifications of the Commission, the application will be approved.

(c) When, in the opinion of the Committee, such tanks or equipment therefor are not in compliance with effective regulations and specifications of the Commission, the Committee may recommend service trials to determine the merits of a change in specifications. Such service trials may be authorized by the Commission under the terms of "ICC Special Permits."

§ 79.4 Changes in specifications for tank cars.

(a) Proposed changes in or additions to specifications for tanks shall be submitted to the Secretary, Mechanical Division, AAR, for consideration by its Committee on Tank Cars. An application for construction of tanks to any new specification may be submitted with proposed specification. Construction should not be started until the specification has been approved or special permit has been issued. When proposing a new specification, the applicant shall furnish information to justify a new specification. This data should include the properties of the lading and the method of loading and unloading.

(b) The Subcommittee on Specifications of the Committee on Tank Cars shall review the proposed specification at its earliest convenience and report its recommendations to the Committee on Tank Cars for prompt consideration. The Committee on Tank Cars shall report its recommendations through said Secretary to the Commission; such reports may be submitted to the Bureau of Explosives for its recommendation before action by the Commission. Expert opinion thus obtained will be given due consideration by the Commission in determining appropriate action.

§ 79.5 Certificate of construction.

(a) Except as provided in paragraph (b) of this section, before a tank car is placed in service, the party assembling the completed car shall furnish to the Bureau of Explosives, to the Secretary, Mechanical Division, AAR, and to the car owner, a Certificate of Construction in prescribed form certifying that the tank, equipment and car complete, comply with all the requirements of the specifications.

(b) Before a tank of Class ICC–106A, 107A or 110A is placed in service, the builder shall furnish to the Bureau of Explosives, to the Secretary, Mechanical Division, AAR, and the owner, a Certificate of Construction in prescribed form certifying that the tank and appurtenances comply with all the requirements of the specifications.

(c) If the owner elects to furnish the appurtenances such as valves and safety devices, the owner shall furnish to the Bureau of Explosives, to the Secretary, Mechanical Division, AAR, a report in prescribed form, certifying that the appurtenances comply with all the requirements of the specifications.

(d) When cars or tanks which are identical in all details are built in groups, one certificate shall suffice for each group.

§ 79.6 Repairs and alterations.

(a) For procedure to be followed in making repairs or alterations, see § 73.31 (f) of this chapter.

Subpart B—General Design Requirements

§ 79.10 Tank mounting.

(a) The manner in which tanks are attached to the car structure shall be approved. The use of rivets to secure anchors to tanks prohibited.

§ 79.11 Welding certification.

(a) Welding procedures, welders and fabricators shall be approved.

§ 79.12 Interior heater systems.

§ 79.12–1 General.

(a) Interior heater systems shall be of approved design and materials. If a tank is divided into compartments, a separate system shall be provided for each compartment.

§ 79.12–2 Materials and dimensions.

(a) Interior heater systems and plug flanges, if welded to tank or dome, shall be cast, forged or fabricated metal, and be of good weldable quality in conjunction with metal of tank or dome.

(b) Piping shall be not less than 2-inch size. Tubing shall be not less than 2⅜ inch outside diameter. Material

specifications and minimum wall thickness are as follows:

Material	Minimum thickness	Specification
Carbon steel pipe	Schedule 80	ASTM A-53.
Carbon steel tube	0.175 inch [1]	ASTM A-83, ASTM A-178.
Alloy steel pipe	Schedule 40S.	ASTM A-312.
Alloy steel tube	0.154 inch	ASTM A-269.
Aluminum pipe	Schedule 80	ASTM B-241.
Aluminum tube	0.218 inch	ASTM B-210, ASTM B-235.
Nickel pipe	Schedule 40	ASTM B-161.
Nickel tube	0.154 inch	ASTM B-161.

[1] Nominal thickness.

(c) Systems may be fabricated of other materials and of other than circular cross section, if approved.

§ 79.12–3 Joints and fittings.

(a) Welded butt joints are preferable. Bolted joints with flange welded to piping may be used if welding is not feasible or to facilitate tank cleaning or application of linings. Return bends shall be forged or made by bending the pipe. Cast, forged or fabricated manifolds of approved design may be used.

(b) Inlets and outlets of heater systems shall be equipped with valve cock, cap or plug. Caps and plugs shall be secured by chain.

§ 79.12–4 Application to tank.

(a) Interior heater systems shall be so constructed that the breaking off of their external connections will not cause leakage of contents of tank.

(b) Inlets and outlets may be located in any portion of dome, shell, heads, or steam jacketed outlet provided proper drainage of heater system is accomplished.

(c) If ends of coils are not attached to a manifold or steam jacketed outlet, they shall be attached to pads or reinforcements. Such reinforcements must be attached to tank in compliance with the requirements of the tank specification.

(1) Outside pipe connections to steam coils shall not be an integral part of the interior coils and shall be screwed or welded, or both, into outside of pads or reinforcements.

(d) All piping shall be secured so as to permit necessary expansion and contraction.

§ 79.12–5 Tests.

(a) Each interior heater system shall be hydrostatically tested at not less than 200 psi and shall hold the pressure for 10 minutes without leakage or evidence of distress.

§ 79.12–6 Reports.

(a) The Certificate of Construction for the completed car shall indicate installation of interior heater system and date of initial hydrostatic test.

§ 79.12–7 Stenciling.

(a) To indicate that tank is equipped with interior heater system, the tank, or the jacket if tank is insulated, shall be stenciled in compliance with the applicable requirements of AAR Specifications for Tank Cars, Appendix C.

Subpart C—Specifications for Pressure Tank Car Tanks (Classes ICC–105A, 109A–W, 112A–W and 114A–W)

§ 79.100 General specifications applicable to pressure tank car tanks.

§ 79.100–1 Tanks built under these specifications shall comply with the requirements of §§ 79.100, 79.101, and when applicable, §§ 79.102, 79.103, and 79.104.

§ 79.100–2 Approval.

(a) For procedure for securing approval see § 79.3.

§ 79.100–3 Type.

(a) Tanks built under this specification shall be fusion-welded with heads designed convex outward. Except as provided in § 79.103 or 79.104 they shall be circular in cross section, shall be provided with a manway nozzle on top of the tank of sufficient size to permit access to the interior, a manway cover to provide for the mounting of all valves, measuring and sampling devices, and a protective housing. Other openings in the tank are prohibited, except as provided in Part 73 of this chapter, §§79.100–14, 79.101–1 Note 10, or § 79.103.

§ 79.100–4 Insulation.

(a) If insulation is applied, the tank shell and manway nozzle shall be insulated with an approved material. The entire insulation shall be covered with a metal jacket not less than ⅛ inch in thickness and flashed around all openings so as to be weather tight. The exterior surface of a carbon steel tank and the inside surface of a carbon steel jacket shall be given a protective coating except that protective coating is not required when foam-in-place insulation that adheres to the tank and jacket is applied.

(b) If insulation is a specification requirement, it shall be of sufficient thickness so that the thermal conductance at 60° F is not more than 0.075 Btu per hour, per square foot, per degree F temperature differential. If exterior heaters are attached to tank, the thickness of the insulation over each heater element may be reduced to one-half that required for the shell.

§ 79.100–5 Bursting pressure.

(a) The minimum required bursting pressure is listed in § 79.101.

§ 79.100–6 Thickness of plates.

(a) The wall thickness of the tank shell and heads shall not be less than that specified in § 79.101, nor that calculated by the following formula:

$$t=\frac{Pd}{2SE}$$

where:

d=inside diameter in inches;
E=0.9 welded joint efficiency; except E=1.0 for seamless aluminum alloy heads;
P=minimum required bursting pressure in psi;
S=minimum strength of plate material in psi, as prescribed in § 79.100–7;
t=minimum design thickness of plate in inches.

(b) If plates are clad with material having tensile strength properties at least equal to the base plate, the cladding may be considered a part of the base plate when determining thickness. If cladding material does not have tensile strength at least equal to the base plate, the base plate alone shall meet the thickness requirement.

(c) When aluminum plate is used, the minimum width of bottom sheet of tank shall be 60 inches, measured on the arc, but in all cases the width shall be sufficient to bring the entire width of the longitudinal welded joint, including welds, above the bolster.

§ 79.100–7 Material.

(a) Carbon steel plate material used to fabricate tank shell and manway nozzle shall be open hearth boiler plate of flange or firebox quality having a carbon content not exceeding 0.31 percent and complying with one of the following ASTM specifications for the material and with the indicated minimum tensile strength and elongation in the welded condition. Minimum tensile strength 81,000 psi. Elongation in 2 inch minimum percent 21.0:

Specifications	Minimum tensile strength (psi) welded condition	Minimum elongation in 2 inches (percent) welded condition
ASTM A 201 Gr. A	55,000	28
ASTM A 201 Gr. B	60,000	25
ASTM A 212 Gr. A	65,000	30
ASTM A 212 Gr. B	70,000	28
ASTM A 285 Gr. A	45,000	29
ASTM A 285 Gr. B	50,000	30
ASTM A 285 Gr. C	55,000	30

(1) These plates may be clad with other approved metals.

(2) High tensile strength carbon-silicon steel plates to an approved specification having a minimum elongation of 21 percent in 2 inches may also be used.

(b) Aluminum alloy plate material used to fabricate tank shell and manway nozzle shall be suitable for fusion welding and shall comply with one of the following ASTM specifications for the material and with the indicated minimum tensile strength and elongation in the welded condition:

Specifications	Minimum tensile strength 0 temper (psi) welded condition	Minimum elongation in 2 inches 0 temper (percent) welded condition
ASTM B 209 Alloy 1060	9,500	25
ASTM B 209 Alloy 1100	11,000	28
ASTM B 209 Alloy 3003	14,000	23
ASTM B 209 Alloy 5052	25,000	18
ASTM B 209 Alloy 5083 [2]	40,000	16
ASTM B 209 Alloy 5086	35,000	14
ASTM B 209 Alloy 5154	30,000	18
ASTM B 209 Alloy 5254	30,000	18
ASTM B 209 Alloy 5454	31,000	18
ASTM B 209 Alloy 5652	25,000	18
ASTM B 209 Alloy 6061	[1] 24,000	[1] 5

[1] Not 0 temper.
[2] Only 0 or H113 temper permitted.

(c) All attachments welded to tank shell shall be of approved material which is suitable for welding to the tank.

§ 79.100–8 Tank heads.

(a) The tank head shape shall be an ellipsoid of revolution in which the major axis shall equal the diameter of the shell

adjacent to the head and the minor axis shall be one-half the major axis.

§ 79.100–9 Welding.

(a) All joints shall be fusion-welded in compliance with the requirements of AAR Specifications for Tank Cars, Appendix W. Welding procedures, welders and fabricators shall be approved. Also see § 79.104.

§ 79.100–10 Stress relieving.

(a) After welding is complete, steel tanks and all attachments welded thereto, shall be stress relieved as a unit in compliance with the requirements of AAR Specifications for Tank Cars, Appendix W.

(b) For aluminum tanks, stress relieving is prohibited.

§ 79.100–11 Tank mounting.

(a) See §§ 79.10 and 79.104–3.

§ 79.100–12 Manway nozzle, cover and protective housing.

(a) Manway nozzles shall be of approved design of forged or rolled steel for steel tanks or fabricated aluminum alloy for aluminum tanks, with access opening at least 18 inches inside diameter, or at least 14 inches by 18 inches obround or oval. Nozzle shall be welded to the tank and the opening reinforced in an approved manner in compliance with the requirements of AAR Specifications for Tank Cars, Appendix C, Figure 10.

(b) Manway cover shall be machined to approved dimensions and be of forged or rolled carbon or alloy steel, rolled aluminum alloy or nickel when required by the lading. Minimum thickness is listed in § 79.101. Manway cover shall be attached to manway nozzle by through or stud bolts not entering tank, except as provided in § 79.103–2 (a).

(c) Except as provided in § 79.103, protective housing of cast, forged or fabricated approved materials shall be bolted to manway cover. The shearing value of the bolts attaching protective housing to manway cover shall not exceed 70 percent of the shearing value of bolts attaching manway cover to manway nozzle. Housing shall be equipped with a suitable metal cover that can be securely closed. Housing cover shall have suitable stop to prevent cover striking loading or unloading connections and be hinged on one side only with approved riveted pin or rod with nuts and cotters. Openings in wall of housing shall be equipped with screw plugs or other closures.

§ 79.100–13 Venting, loading and unloading valves, measuring and sampling devices.

(a) Venting, loading and unloading valves shall be of approved design, made of metal not subject to rapid deterioration by the lading, and shall withstand the tank test pressure without leakage. The valves shall be directly bolted to seatings on manway cover, except as provided in § 79.103. Valve outlets shall be closed with approved screw plugs or other closures fastened to prevent misplacement.

(b) The interior pipes of the loading and unloading valves shall be anchored and, except as prescribed in § 79.102, or 79.103, may be equipped with excess flow valves of approved design.

(c) Gaging device, sampling valve and thermometer well are not specification requirements. When used, they shall be of approved design, made of metal not subject to rapid deterioration by the lading, and shall withstand the tank test pressure without leakage. Interior pipes of the gaging device and sampling valve, except as prescribed in § 79.102, or 79.103, may be equipped with excess flow valves of approved design. Interior pipe of the thermometer well shall be anchored in an approved manner to prevent breakage due to vibration. The thermometer well shall be closed by an approved valve attached close to the manway cover, or other approved location, and closed by a screw plug. Other approved arrangements that permit testing thermometer well for leaks without complete removal of the closure may be used.

(d) An excess flow valve as referred to in this specification, is a device which closes automatically against the outward flow of the contents of the tank such as may be encountered in case the external closure valve is broken off or removed during transit. Excess flow valves may be designed with a by-pass to allow the equalization of pressures.

§ 79.100–14 Bottom outlets.

(a) Bottom outlets for discharge of lading is prohibited, except as provided in § 79.103–3. If indicated in § 79.101, tank may be equipped with a bottom washout of approved construction. If applied, bottom washout shall be in accordance with the following requirements:

(1) The extreme projection of the bottom washout shall be at least 12 inches above top of rail.

(2) Bottom washout shall be of cast, forged or fabricated metal and shall be fusion-welded to the tank. It shall be of good weldable quality in conjunction with metal of tank.

(3) If bottom washout nozzle extends 6 inches or more from shell of tank, a "V" groove shall be cut (not cast) in the upper part of the nozzle at a point immediately below the lowest part of inside closure seat or plug to a depth that will leave wall thickness of nozzle at the root of the "V" not over ⅜ inch. Where nozzle is not a single piece, provision shall be made for the equivalent of the breakage groove. The nozzle shall be of a thickness to insure that accidental breakage will occur at or below the "V" groove or its equivalent.

(4) The closure plug and seat shall be readily accessible or removable for repairs.

(5) Joints between closures and their seats may be gasketed with suitable material.

§ 79.100–15 Safety relief valves.

(a) The tank shall be equipped with one or more safety relief valves of approved design, made of metal not subject to rapid deterioration by the lading. The safety relief valve, or valves, shall be mounted on manway cover, except as provided in § 79.103. The total valve discharge capacity shall be sufficient to prevent building up pressure to tank in excess of 82½ percent of the tank test pressure. The start-to-discharge and vapor-tight pressures shall comply with § 79.101 and shall not be affected by any auxiliary closure or other combination. For certain commodities, alternate pressures are permitted (see § 79.102–11). See AAR Specifications for Tank Cars, Appendix A, for formula for calculating discharge capacity.

(b) When a safety relief valve is used in combination with a breaking pin device, the breaking pin device shall be designed to fail at a pressure of 75 percent of the tank test pressure and safety relief valve shall be set for a start-to-discharge pressure of 71 percent of the tank test pressure.

(c) When a safety relief valve is used in combination with a frangible disc, the frangible disc shall be designed to burst at a pressure of 75 percent of the tank test pressure and the safety relief valve shall be set for a start-to-discharge pressure of 71 percent of the tank test pressure. Provision shall be made to prevent any accumulation of pressure between the frangible disc and safety relief valve.

§ 79.100–16 Attachments not otherwise specified.

(a) Attachments not otherwise specified shall be applied by approved means.

§ 79.100–17 Closures for openings.

(a) Closures shall be of approved design and made of metal not subject to rapid deterioration by the lading. Plugs, if used, shall be solid, with NPT threads, and shall be of a length which will screw at least six threads inside the face of fitting or tank.

§ 79.100–18 Tests of tanks.

(a) Each tank shall be tested by completely filling tank and manway nozzle with water or other liquid having similar viscosity, at a temperature which shall not exceed 100 F during the test; and applying the pressure prescribed in § 79.101. The tank shall hold the prescribed pressure for at least 10 minutes without leakage or evidence of distress.

(b) Insulated tanks shall be tested before insulation is applied.

(c) Calking of welded joints to stop leaks developed during the foregoing test is prohibited. Repairs in welded joints shall be made as prescribed in AAR specifications for Tank Cars, Appendix W.

(d) Testing of exterior heaters is not a specification requirement.

§ 79.100–19 Tests of safety relief valves.

(a) Each valve shall be tested by air or gas for compliance with § 79.101 before being put into service.

§ 79.100–20 Stamping.

(a) To certify that the tank complies with all specification requirements, each tank shall be plainly and permanently stamped in letters and figures at least ⅜ inch high into the metal near the center of both outside heads as follows:

	Example of required stamping
Specification	ICC–105A100–W
Material	ASTM A212 B
Cladding material (if any)	ASTM A240–304 Clad
Tank builder's initials	ABC
Date of original test	00–0000
Car assembler (if other than tank builder)	DEF
Water capacity	00000 lbs.

§ 79.100–21 Stenciling.

(a) The tank or the jacket if tank is insulated, shall be stenciled in compliance with the requirements of AAR Specifications for Tank Cars, Appendix C.

§ 79.100–22 Certificate of construction.

(a) See § 79.5.

§ 79.101 Individual specification requirements applicable to pressure tank car tanks.

§ 79.101–1 Individual specification requirements.

(a) In addition to § 79.100 the individual specification requirements are as follows:

ICC specifications	105A100W	105A200F	105A200W	105A300W	105A400W	105A500W	105A600W	105A100ALW	105A200ALW	105A300ALW
Material (see 79.100–7)	Steel Required	Steel Required	Steel Required	Steel Required	Steel Required	Steel Required	Steel Required	Aluminum Required	Aluminum Required	Aluminum Required
Insulation (see 79.100–4)										
Bursting pressure, p.s.i. (see 79.100–5)	500		600	750	1000	1250	1500	500	500	750
Minimum plate thickness, inches, Shell, and Heads	[1] 9/16	[1] 9/16	[1] 9/16	[1] 11/16	[1] 11/16	[1] 11/16	[1] 11/16	5/8	5/8	5/8
Test pressure, p.s.i. (see 79.100–18)	100	See 79.104	200	300	400	500	600	100	200	300
Safety relief valves, p.s.i.: [6]										
Start-to-discharge pressure	75	150	150	225	300	375	450	75	150	225
Start-to-discharge tolerance	±3.0	±4.5	±4.5	±6.75	±9.0	±11.25	±13.5	±3.0	±4.5	±6.75
Vapor tight (minimum) pressure	60	120	120	180	240	300	360	60	120	180
Manway cover, thickness, inches (minimum)	2¼	2¼	2¼	[2] 2¼	[2] 2¼	2¼	2¼	[2] 2½	[2] 2½	[2] 2⅝
Special references	79.102–3 79.102–6	79.102–3 79.102–6 79.104	79.102–3 79.102–6	79.102–2 79.102–3 79.102–5 79.102–6 79.102–7 79.102–8 79.102–11	79.102–3	79.102–1 79.102–2 79.102–3 79.102–9 79.102–10	79.102–1 79.102–3 79.102–4 79.102–9 79.102–10	79.102–3	79.102–3	79.102–3
Bottom washout	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited

ICC specifications	109A300W	109A100ALW	109A200ALW	109A300ALW	112A200W	112A340W	112A400W	112A500W	114A340W	[11] 112A400F
Material (see 79.100–7)	Steel Optional	Aluminum Optional	Aluminum Optional	Aluminum Optional	Steel [4] None	Steel [4] None	Steel [4] None	Steel [4] None	Steel [4] None	
Insulation (see 79.100–4)										
Bursting pressure, p.s.i. (see 79.100–5)	750	500	500	750	500	850	1000	1250	850	
Minimum plate thickness, inches, Shell, and Heads	[1] 11/16	5/8	5/8	5/8	[3] 9/16	11/16	[1] 11/16	[1] 11/16	1/16	
Test pressure, p.s.i. (see 79.100–18)	300	100	200	300	200	340	400	500	340	
Safety relief valves, p.s.i.: [6]										
Start-to-discharge pressure	225	75	150	225	150	255	300	375	255	
Start-to-discharge tolerance	±6.75	±3.0	±4.5	±6.75	±4.5	±7.65	±9.0	±11.25	±7.65	
Vapor tight (minimum) pressure	180	60	120	180	120	204	240	300	204	
Manway cover, thickness inches (minimum)	2¼	[2] 2½	[2] 2½	[2] 2⅝	2¼	2¼	2¼	2¼	(7)	
Special references					[10] 79.102–3	79.102–3 [10] 79.102–11	79.102–3 79.102–6 [10] 79.102–11	[10] 79.102–3	79.102–11 79.103	
Bottom washout	Optional	Optional	Optional	Optional	Prohibited	Prohibited	Prohibited	Prohibited	[8] Optional	

[1] When steel of 65,000 to 81,000 p.s.i. minimum tensile strength is used, the thickness of plates shall not be less than 5/8 inch, and when steel of 81,000 p.s.i. minimum tensile strength is used, the minimum thickness of plate shall be not less than 9/16 inch.

[2] When approved material other than aluminum alloys are used, the thickness p.s.i. shall not be less than 2¼ inches.

[3] When steel of 65,000 p.s.i. minimum tensile strength is used, minimum thickness of plates shall not be less than ½ inch.

[4] At least the upper two-thirds of the exterior of the tank, manway nozzle and all appurtenances in contact with this area of the tank shall have a finish coat of light-reflective paint.

[5] For inside diameter of 87 inches or less, the thickness of plates shall not be less than one-half inch.

[6] See 79.102 for optional setting for certain commodities.

[7] See 79.103–1(c).

[8] See 79.103–3 for optional bottom loading and unloading.

[9] When the use of nickel is required by the lading, the thickness shall not be less than 2 inches.

[10] Each tank head of class 112A tank car tanks may be equipped with not more than one opening for use in purging tank interior.

[11] Tanks converted from existing forge-welded specification 105A500 tanks by modification using conversion details complying with ICC–112A specification requirements, shall be stenciled by substituting the letter "F" for the letter "W" in the specification designation.

§ 79.102 Special commodity requirements for pressure tank car tanks.

(a) In addition to §§ 79.100 and 79.101 the following requirements are applicable:

§ 79.102–1 Liquefied carbon dioxide.

(a) Spec. 105A500–W or 105A600–W tank cars used to transport Liquefied carbon dioxide shall comply with the following special requirements:

(1) All plates for tank, manway nozzle and anchorage, shall be made of steel complying with a specification approved for service at low temperatures.

(2) Tank shall be insulated with an approved material of sufficient thickness so that the thermal conductance at 60 F is not more than 0.03 Btu per hour per square foot per degree F temperature differential; except that in order to permit an anchorage which shall not exceed seven inches from top of center sills to bottom of tank, the insulation thickness directly over the sills may be reduced to give thermal conductance not exceeding 0.04 Btu per hour per square foot per degree F temperature differential.

(3) Tank shall be equipped with one safety relief valve set for the start-to-discharge pressure listed in § 79.101, and one safety vent of approved design, set to function at a pressure less than the tank test pressure, and not less than 75 percent of tank test pressure. The discharge capacity of each of these safety relief devices shall be sufficient to prevent building up pressure in tank in excess of 82½ percent of the tank test pressure.

(4) Tank shall be equipped with two pressure-regulating valves of approved design, set to open at a pressure not exceeding 350 psi on spec. 105A500–W tanks or 400 psi on spec. 105A600–W tanks.

(5) Each regulating valve and safety relief device shall have its final discharge piped to the outside of the protective housing.

§ 79.102–2 Chlorine.

(a) Spec. 105A300–W or 105A500–W tank cars used to transport chlorine shall comply with the following special requirements:

(1) The quantity of chlorine loaded into a single-unit tank car shall not exceed 60,000 pounds, except that not more than 110,000 pounds nor less than 107,800 pounds of chlorine may be loaded in such cars if insulated with 4 inches of corkboard and constructed, maintained, and retested in compliance with spec. 105A500–W. Cars may be registered and jackets stenciled either 105A300–W or 105A500–W and equipped with the safety relief valve required by the specification to which registered.

(2) The interior pipes of liquid discharge valves shall be equipped with excess flow valves of approved design.

§ 79.102–3 Liquefied flammable gases.

(a) Spec. 105A100–W, 105A200–F, 105A200–W, 105A300–W, 105A400–W, 105A500–W, 105A600–W, 105A100–ALW, 105A200–ALW, 105A300–ALW, 112A200–W, 112A340–W, 112A400–W or 112A500–W tank cars used to transport liquefied flammable gases shall comply with the following special requirements:

(1) The interior pipes of the loading and unloading valves, gaging device and sampling valve shall be equipped with excess flow valves of an approved design.

(2) The protective housing cover shall be equipped with an approved weatherproof cover over an opening having an unrestricted area at least equal to the total safety relief valve discharge area.

§ 79.102–4 Vinyl fluoride, inhibited.

(a) Spec. 105A600–W tank cars used to transport vinyl fluoride, inhibited, shall comply with the following special requirements:

(1) Tank shall be insulated with an approved material of sufficient thickness so that the thermal conductance at 60 F is not more than 0.03 Btu per hour per square foot per degree F temperature differential; except that in order to permit an anchorage which shall not exceed seven inches from top of center sill to bottom of tank, the insulation thickness directly over the sills may be reduced to give thermal conductance not exceeding 0.04 Btu per hour per square foot per degree F temperature differential.

(2) Tank shall be equipped with one safety relief valve, set for the start-to-discharge pressure listed in § 79.101, and one safety vent of approved design, set to function at a pressure less than the tank test pressure, and not less than 75 percent of the tank test pressure. The discharge capacity of each of these safety relief devices shall be sufficient to prevent building up pressure in tank in excess of 82½ percent of the tank test pressure.

(3) Each regulating valve and safety relief device shall have its final discharge piped to the outside of the protective housing.

§ 79.102–5 Nitrosyl chloride.

(a) Spec. 105A300–W tank cars used to transport Nitrosyl chloride shall comply with the following special requirements:

(1) Tanks shall be made of or clad with a metal not subject to rapid deterioration by the lading; all appurtenances such as manway covers, venting, loading and unloading valves, safety relief valves, excess flow valves, and eduction pipes, shall be made of metal not subject to rapid deterioration by the lading; cork shall be used as an insulating material.

§ 79.102–6 Vinyl chloride or Vinyl methyl ether, inhibited.

(a) Spec. 105A200–W 112A400–W tank cars, used to transport Vinyl chloride, and spec. 105A100–W or 105A300–W tank cars used to transport Vinyl methyl ether, inhibited, shall comply with the following special requirements:

(1) All parts of valves and safety relief devices in contact with the lading shall be of a metal or other material suitably treated, if necessary, which will not cause formation of any acetylides.

(2) The interior pipes of the loading and unloading valves, gaging device and sampling valve shall be equipped with excess flow valves of an approved design.

(3) For Vinyl chloride in spec. 105A-200–W tank cars, openings in tank heads to facilitate nickel lining are authorized if closed in an approved manner.

§ 79.102–7 Bromine.

(a) Spec. 105A300–W tank cars used to transport Bromine shall comply with the following special requirements:

(1) The tank shall be nickel clad at least 20 percent or shall be lined with lead at least 3/16 inch thick; openings in tank heads to facilitate application of lead lining are authorized if closed in an approved manner; all closures and appurtenances in contact with the lading shall be lead lined or shall be made of metal not subject to rapid deterioration by the lading; all interior welds in nickel clad tanks shall be protected by pure nickel butt straps to eliminate iron contamination. Except as otherwise provided herein, the water weight capacity of the tank shall not exceed 20,400 pounds. When tanks are equipped with manway cover plates, safety relief valves, venting, loading and unloading valves in accordance with spec. 105A300–W, and tank jackets are stenciled spec. 105A300–W, but in all other respects are constructed and maintained in full compliance with spec. 105A500–W, the water weight capacity of the tank shall not exceed 37,400 pounds.

§ 79.102–8 Motor fuel anti-knock compound.

(a) Spec. 105A300–W tank cars used to transport Motor fuel anti-knock compounds shall comply with the following special requirements:

(1) Jacket shall be stenciled on both sides "MOTOR FUEL ANTI-KNOCK COMPOUND ONLY." Openings in tank heads to facilitate application of nickel lining are authorized if closed in an approved manner.

§ 79.102–9 Nitrogen tetroxide or Nitrogen tetroxide-nitric oxide mixtures.

(a) Specs. 105A500–W and 105A600–W tank cars used to transport Nitrogen tetroxide or Nitrogen tetroxide-nitric oxide mixtures shall comply with the following special requirements:

(1) Tanks shall be insulated with not less than four inches of corkboard. All valves and fittings shall be protected by the securely attached cover made of metal not subject to rapid deterioration by the lading, and all valve openings, except the safety relief valves, shall be fitted with screw plugs or caps to prevent leakage in the event of valve failure. Safety relief valve shall be equipped with an approved stainless steel or platinum frangible disc. Jacket shall be stenciled on both sides in letters not less than 2 inches high "NITROGEN TETROXIDE ONLY" or "NITROGEN TETROXIDE-NITRIC OXIDE MIXTURES ONLY," as applicable. Written procedure covering details of tank car appurtenances, manway fittings and safety relief devices, and marking, loading, handling, inspection and testing practices, shall be filed with and approved by the Bureau of Explosives before any tank car is offered for transportation of these commodities.

§ 79.102–10 Hydrocyanic acid.

(a) Spec. 105A500–W or 105A600–W tank cars used to transport Hydrocyanic acid shall comply with the following special requirements:

(1) Cars shall be registered and the jacket stenciled spec. 105A300–W and be equipped with the safety relief valves required by that specification. Tanks shall be insulated with not less than 4 inches of corkboard. Jacket shall be stenciled on both sides in letters not less than 2 inches high "HYDROCYANIC ACID ONLY." Written procedure covering details of tank car appurtenances, manway fittings and safety relief devices, and marking, loading, handling, inspection and testing practices, shall be filed with and approved by the Bureau of Explosives before any tank car is offered for transportation of hydrocyanic acid.

§ 79.102–11 Liquefied petroleum gas or Anhydrous ammonia.

(a) Spec. 105A300–W, 112A340–W, 112A400–W or 114A340–W tank cars used to transport Liquefied petroleum gas or Anhydrous ammonia, may as an alternate comply with the following special requirements:

(1) Safety relief valves may be set to the following pressures, provided the total valve discharge capacity is sufficient to prevent building up pressure in the tank in excess of 90 percent of the tank test pressure.

ICC specifications	105A300–W	112A340–W	112A400–W	114A340–W
Safety relief valves, psi:				
Start-to-discharge pressure	247.5	280.5	330	280.5
Start-to-discharge tolerance	±7.4	±8.4	±10	±8.4
Vapor tight pressure (minimum)	196	224	264	224

§ 79.103 Special requirements for class 114A * * * tank car tanks.

(a) In addition to the applicable requirements of §§ 79.100 and 79.101 the following requirements shall be complied with:

§ 79.103–1 Type.

(a) Tanks built under this section may be of any approved cross section.

(b) Any portion of the tank shell not circular in cross section shall have walls of such thickness and be so reinforced that the stresses in the walls caused by a given internal pressure are no greater than the circumferential stresses which would exist under the same internal pressure in the wall of a tank of circular cross section designed in accordance with paragraphs § 79.100–6 (a) and (b), but in no case shall the wall thickness be less than that specified in § 79.101.

(c) Manway and cover may be located other than at the top of the tank.

(d) Valves and fittings need not be mounted on the manway cover.

(e) One opening may be provided in each head for use in purging the tank interior.

§ 79.103–2 Manway cover.

(a) Manway cover may be of the internal self-energizing type and shall be of approved design.

(b) If no valves or measuring and sampling devices are mounted on manway cover, no protective housing is required.

§ 79.103–3 Venting, loading and unloading valves, measuring and sampling devices.

(a) Venting, loading and unloading valves, measuring and sampling devices, when used, shall be attached to a nozzle or nozzles on the tank shell or heads.

(b) These valves and appurtenances shall be grouped in one location, shall be provided with a protective cover or housing with cover or may be recessed into the tank shell. A duplicate set grouped in another location may be provided.

(c) The interior pipes of the loading, unloading, and sampling valves shall be equipped with excess flow valves of approved design, except when quick closing internal valves of approved design are used. When the interior pipe of the gaging device provides a means for the passage of lading from the interior to the exterior of the tank, it shall be equipped with an excess flow valve of approved design or with an orifice not exceeding a No. 54 drill size.

§ 79.103–4 Safety relief valves.

(a) Safety relief valve or valves shall be located on top of tank near the center of the car on a nozzle, mounting plate or recess in the shell. Through or stud bolts, if used, shall not enter the tank.

(b) Metal guard of approved design shall be provided to protect safety relief valve or valves from damage.

§ 79.104 Special requirements for spec. 105A200–F tank car tanks.

§ 79.104–1 Tanks built under these specifications shall meet the requirements of §§ 79.100, 79.101, 79.102 and 79.104.

§ 79.104–2 Type.

(a) Tanks built under this specification shall be fabricated by conversion from existing forge-welded steel tanks complying with specs. 105A300, 105A400, 105A500 or 105A600.

§ 79.104–3 Tank mounting.

(a) The use of rivets as a means of attaching anchor to tank is permitted.

§ 79.104–4 Welding.

(a) All joints shall be lap welded by the water gas process, hammered or rolled or other lap welded, hammered or rolled process which investigation and laboratory tests by the Mechanical Division of the AAR have proved will produce satisfactory results.

Subpart D—Specifications for Non-Pressure Tank Car Tanks (Classes ICC–103, 104, 111A–F and 111A–W)

§ 79.200 General specifications applicable to non-pressure tank car tanks.

§ 79.200–1 Tank built under these specifications shall meet the requirements of §§ 79.200, 79.201 and 79.202.

§ 79.200–2 Approval.

(a) For procedure for securing approval, see § 79.3.

§ 79.200–3 Type.

(a) Tanks built under this specification shall be cylindrical, with heads designed convex outward. When specified in § 79.201–1 tank shall have at least one manway or one expansion dome with manway, and such other external projections as are prescribed herein. When the tank is divided into compartments, each compartment shall be treated as a separate tank.

§ 79.200–4 Insulation.

(a) If insulation is applied, the tank shell and expansion dome when used shall be insulated with an approved material. The entire insulation shall be covered with a metal jacket not less than ⅛ inch in thickness and flashed around all openings so as to be weather tight. The exterior surface of a carbon steel tank and the inside surface of a carbon steel jacket shall be given a protective coating, except that protective coating is not required when foam-in-place insulation that adheres to the tank and jacket is applied.

(b) If insulation is a specification requirement, it shall be of sufficient thickness so that the thermal conductance at 60 F is not more than 0.225 Btu per hour, per square foot, per degree F temperature differential, unless otherwise provided in § 79.201–1. If exterior heaters are attached to tank, the thickness of the insulation over each heater element may be reduced to one-half that required for the shell.

§ 79.200–5 Bursting pressure.

(a) The minimum required bursting pressure is listed in § 79.201–1.

§ 79.200–6 Thickness of plates.

(a) The wall thickness of the tank shell, dome shell, and of 2:1 ellipsoidal heads shall not be less than specified in § 79.201–1, nor that calculated by the following formula:

$$t=\frac{Pd}{2SE}$$

where:

d = inside diameter in inches;
E = 0.9 welded joint efficiency; except E = 1.0 for seamless aluminum alloy heads and seamless heads of Class ICC–111A tanks;
P = minimum required bursting pressure in psi;
S = minimum tensile strength of plate material in psi as prescribed in § 79.200–7;
t = minimum design thickness of plate in inches.

(b) The thickness of a dished or 3:1 ellipsoidal head shall not be less than specified in § 79.201–1, nor that calculated by the following formula:

$$t=\frac{5PL}{6SE}$$

where:

E = 0.9 welded joint efficiency; except E = 1.0 when head is formed from one piece;
L = main inside radius to which head is dished, measured on concave side in inches;
P = minimum required bursting pressure in psi;
S = minimum tensile strength of plate material in psi as prescribed in § 79.200–7;
t = minimum thickness of plate in inches.

(c) If plates are clad with material having tensile strength properties at least equal to the base plate, the cladding may be considered a part of the base plate when determining thickness. If cladding material does not have tensile strength at least equal to the base plate, the base plate alone shall meet the thickness requirements.

(d) For tanks constructed of longitudinal sections, the minimum width of bottom sheet of tank shall be 60 inches, measured on the arc, but in all cases the width shall be sufficient to bring the entire width of the longitudinal welded joint, including welds, above the bolster.

(e) For tanks built of one piece cylindrical sections, the thickness specified for bottom sheet shall apply to the entire cylindrical section.

(f) See § 79.200–9 for thickness requirements for compartment tanks.

§ 79.200–7 Material.

(a) Carbon steel plate material used to fabricate tank and expansion dome, when used, shall be open hearth boiler plate of flange or firebox quality having a carbon content not exceeding 0.31 percent and complying with one of the following ASTM specifications for the material and with the indicated mini-

mum tensile strength and elongation in the welded condition:

Specifications	Minimum tensile strength (psi) welded condition	Minimum elongation in 2 inches (percent) welded condition
ASTM A201 Gr. A	55,000	23
ASTM A201 Gr. B	60,000	25
ASTM A212 Gr. A	65,000	20
ASTM A212 Gr. B	70,000	20
ASTM A285 Gr. A	45,000	20
ASTM A285 Gr. B	50,000	20
ASTM A285 Gr. C	55,000	20

(1) These plates may be clad with other approved metals.

(b) Aluminum alloy plate material used to fabricate tank and expansion dome, when used, shall be suitable for fusion welding, and shall comply with one of the following ASTM specifications for the material and with the indicated minimum tensile strength and elongation for the welded condition:

Specifications	Minimum tensile strength 0 temper (psi) welded condition	Minimum elongation in 2 inches 0 temper (percent) welded condition
ASTM B209 Alloy 1060	9,500	25
ASTM B209 Alloy 1100	11,000	28
ASTM B209 Alloy 3003	14,000	23
ASTM B209 Alloy 5052	25,000	18
ASTM B209 Alloy 5083 [2]	40,000	16
ASTM B209 Alloy 5086	35,000	14
ASTM B209 Alloy 5154	30,000	18
ASTM B209 Alloy 5254	30,000	18
ASTM B209 Alloy 5454	31,000	18
ASTM B209 Alloy 5652	25,000	18
ASTM B209 Alloy 6061	[1] 24,000	[1] 5

[1] Not 0 temper.
[2] Only 0 temper or H-113 permitted.

(c) Alloy steel plate material used to fabricate tank and expansion dome, when used, shall be capable of resisting the action of nitric acid so that the maximum corrosion rate in inches penetration per month shall be 0.006 for the straight chromium-bearing stainless steel and 0.0015 for any of the chromium-nickel alloys when tested by the procedure in ASTM Specification A-262 titled Recommended Practice Boiling Nitric Acid Test for Corrosion-Resisting Steels.

(1) Alloy steel plate material used to fabricate tank and expansion dome, when used, shall comply with one of the following ASTM specifications for the material and with the indicated minimum tensile strength and elongation for the welded condition:

Specifications	Type	Minimum tensile strength (psi) welded condition	Minimum elongation in 2 inches (percent) welded condition
ASTM A-240	304	75,000	30
ASTM A-240	304L	70,000	30
ASTM A-240	316	75,000	30
ASTM A-240	316L	70,000	30
ASTM A-240	321	75,000	30
ASTM A-240	347	75,000	30
ASTM A-240	405	60,000	20
ASTM A-240	410	65,000	20
ASTM A-240	430A	65,000	22

(d) Nickel plate material used to fabricate tank and expansion dome shall comply with the following ASTM Specification for the material and with the indicated minimum tensile strength and elongation for the welded condition:

Specifications	Minimum tensile strength (psi) welded condition	Minimum elongation in 2 inches (percent) welded condition
ASTM B-162	40,000	20

(e) All parts and items of construction in contact with the lading shall be made of material compatible with plate material and not subject to rapid deterioration by the lading, or be coated or lined with suitable corrosion resistant material.

(f) All external projections which may be in contact with the lading and all castings, forgings or fabrications used for fittings or attachments to tank and expansion dome, when used, in contact with lading shall be made of material to an approved specification. Use of cast iron is prohibited for Class ICC-111A cars.

§ 79.200-8 Tank heads.

(a) Tank heads shall be of approved contour, and may be dished or ellipsoidal for pressure on concave side.

(b) Dished heads shall have main inside radius not exceeding 10 feet and inside knuckle radius shall not be less than 3¾ inches for steel, alloy steel, or nickel tanks nor less than 5 inches for aluminum alloy tanks except the knuckle radius for interior heads of compartment tanks of steel, alloy steel, or nickel shall not be less than 1½ inches.

(c) Ellipsoidal tank heads for aluminum alloy tanks and for Class ICC-111A tanks shall be an ellipsoid of revolution in which the major axis shall equal the diameter of the shell and the minor axis shall be one-half the major axis.

§ 79.200-9 Compartment tanks.

(a) When tank is divided into compartments, by inserting interior heads, interior heads shall comply with the requirements specified in § 79.201-1. When capacity is reduced by the insertion of interior heads, these heads shall comply with the requirements for interior compartment heads and exterior head reapplied. Voids, created by the addition of heads for division into compartments or reduction in capacity, shall be provided with at least one tapped drain hole at their lowest point, and a tapped hole at the top of the tank. Top hole shall be closed, and the bottom hole may be closed, with not less than ¾ inch nor more than 1½ inch solid pipe plugs having NPT threads.

(b) When the tank is divided into compartments by constructing each compartment as a separate tank, these tanks shall be joined together by a cylinder made of plate, having a thickness not less than that required for the tank shell and applied to the outside surface of tank head flanges. The cylinder shall fit the straight flange portion of the compartment tank head tightly. The cylinder shall contact the head flange for a distance of at least two times the plate thickness, or a minimum of 1 inch, whichever is greater. The cylinder shall be joined to the head flange by a full fillet weld. Distance from head seam to cylinder shall not be less than 1½ inches or three times the plate thickness, whichever is greater. Voids created by the space between heads of tanks joined together to form a compartment tank shall be provided with a tapped drain hole at their lowest point and a tapped hole at top of tank. The top hole shall be closed and the bottom hole may be closed with solid pipe plugs not less than ¾ inch nor more than 1½ inches having NPT threads.

§ 79.200-10 Welding.

(a) All joints shall be fusion-welded in compliance with the requirements of AAR Specifications for Tank Cars, Appendix W. Welding procedures, welders and fabricators shall be approved.

§ 79.200-11 Stress relieving and heat treatment.

(a) After welding is complete stress relieving or heat treatment shall be in compliance with the requirements of AAR Specifications for Tank Cars, Appendix W, when specified in § 79.201-1.

§ 79.200-12 Tank mounting. See § 79.10.

§ 79.200-13 Manway ring or flange, safety relief device flange, bottom outlet nozzle flange, bottom washout nozzle flange and other attachments and openings.

(a) For steel and aluminum tanks, these attachments shall be riveted or fusion-welded.

(b) For alloy steel and nickel tanks these attachments shall be fusion-welded.

(c) Fusion-welding for securing these attachments in place shall be of the double-welded butt joint type or double full-fillet lap joint type.

(d) Rivets, if used, shall be to approved specifications compatible with plate material and shall meet the following requirements:

(1) Riveted joints shall be made metal to metal without interposition of other material.

(2) Rivets shall be driven hot and calked inside. All joints formed by all riveted attachments shall be calked inside. Split calking is prohibited.

(3) Use of rivets less than ⅝ inch nominal diameter prohibited.

(4) For computing rivet areas the effective diameter of a driven rivet is the diameter of its reamed hole, which hole shall in no case exceed nominal diameter of rivet by more than 1/16 inch.

(5) When attachments are applied by means of riveting, the edges of plates shall be beveled so that the angle of the calking edge will be between 60 and 70 degrees with the flat surface of the attachment. The extreme calking edge distance, measured from center line of rivet hole, shall be at least one and one-half times the diameter of the hole and not more than that distance plus ¼ inch.

(6) Rivets shall be handled and driven in a manner that will insure requisite strength.

(e) The opening in the manway ring shall be at least 16 inches in diameter

except that acid resistant lined manways shall be at least 18 inches in diameter before lining.

(f) Manway ring or flange, if riveted to dome or tank, shall be of cast, forged or fabricated steel, malleable iron or other malleable metals.

(g) Manway ring or flange, if welded to dome, tank or nozzle, shall be made of cast, forged or fabricated metal and be of good weldable quality in conjunction with metal of dome, tank, or nozzle.

(h) Openings for manway or other fittings shall be reinforced in an approved manner.

§ 79.200–14 Expansion capacity.

(a) Tanks shall have expansion capacity as prescribed in § 79.201–1. This capacity shall be provided in the tank for Class ICC–111A cars, or in a dome for Class ICC–103 and 104 type cars.

(b) The capacity of the expansion dome, when used, shall be at least the percentage specified in § 79.201–1 of the total capacity of the tank and dome combined. The capacity of the dome shall be measured from the inside top of shell of tank to the inside top of dome or bottom of any vent pipe projecting inside of dome, except that when safety relief device is applied to side of dome, the effective capacity of the dome shall be measured from top of safety relief device opening inside of dome to inside top of shell of tank.

(c) The opening in the tank shell within the dome shall be at least 29 inches in diameter. When the opening in the tank shell exceeds 30 inches in diameter, the opening shall be reinforced in an approved manner. When the opening in the tank shell is less than the inside diameter of the dome, and the dome pocket is not closed off in an approved manner, dome pocket drain holes shall be provided in the tank shell with nipples projecting inside the tank at least 1 inch.

(d) The dome head shall be of approved contour and shall be designed for pressure on concave side.

(e) Aluminum alloy domes:

(1) The dome shell thickness shall be calculated by the formula in § 79.200–6(a).

(2) The dome head may be an ellipsoid of revolution in which the major axis shall be equal to the diameter of the dome shell and the minor axis shall be one-half the major axis. The thickness in this case shall be determined by using formula in § 79.200–6(a).

(3) The dome head, if dished, shall be dished to a radius not exceeding 96 inches. Thickness of dished dome head shall be calculated by the formula in § 79.200–6(b).

(4) Tank shell shall be reinforced by the addition of a plate equal to or greater than shell in thickness and the cross sectional area shall exceed metal removed for dome opening, or tank shell shall be reinforced by a seamless saddle plate equal to or greater than shell in thickness and butt welded to tank shell. The reinforcing saddle plate shall be provided with a fluid opening having a vertical flange of the diameter of the dome for butt welding shell of dome to the flange. The reinforcing saddle plate shall extend about the dome a distance measured along shell of tank at least equal to the extension at top of tank. Other approved designs may be used.

(f) For thickness of carbon or alloy steel domes, see § 79.201–2.

§ 79.200–15 Closures for manways.

(a) Manway covers shall be of approved type. See § 79.202–1 for special requirements for flammable liquids.

(b) Manway covers shall be designed to provide a secure closure of the manway.

(c) Manway covers shall be cast, forged or fabricated metal and be of the same metal as the metal of the tank except for aluminum tanks where manway covers of other approved materials may be used, or except for steel tanks where malleable iron manway covers may be used. Malleable iron, when used, shall comply with AAR Specification M–402 Grade 35018—Malleable Iron Castings or ASTM A–47 Grade 35018—Malleable Iron Castings.

(d) All joints between manway covers and their seats shall be made tight against leakage of vapor and liquid by use of gaskets of suitable material.

(e) For other manway cover requirements see § 79.201–1.

§ 79.200–16 Gaging devices, top loading and unloading devices, venting and air inlet devices.

(a) When installed, these devices shall be of an approved design which will prevent interchange with any other fixture, and be tightly closed. Unloading pipes shall be securely anchored within the tank. Each tank or compartment may be equipped with one separate air connection.

(b) When the characteristics of the commodity for which the car is authorized are such that these devices must be equipped with valves or fittings to permit the loading and unloading of the contents, these devices, including valves, shall be of an approved design, and be provided with a protective housing except when plug or ball type valves with operating handles removed are used. Provision shall be made for closing pipe connections of valves.

(c) Tanks may be equipped with a vacuum relief valve of an approved design.

(d) When gaging device is required in § 79.201–1, an outage scale visible through manway opening shall be provided. If loading devices are applied to permit tank loading with cover closed, a telltale pipe may be provided. Telltale pipe shall be capable of determining that required outage is provided. Pipe shall be equipped with ¼ inch minimum NPT control valve mounted outside tank and enclosed within a housing. Other approved devices may be used in lieu of outage scale or telltale pipe.

(e) Bottom sump if applied may be of cast, fabricated, or forged metal.

§ 79.200–17 Bottom outlets.

(a) If indicated in § 79.201–1, tank may be equipped with bottom outlet. If applied, bottom outlet shall comply with the following requirements:

(1) The extreme projection of bottom outlet equipment shall be at least 12 inches above top of rail. All bottom outlet reducers and closures and their attachments shall be secured to car by at least ⅜ inch chain or its equivalent, except that outlet closure plugs may be attached by ¼ inch chain. When the bottom outlet closure is of the combination cap and valve type, the pipe connection to the valve shall be closed by a plug or cap.

(2) Bottom outlet shall be of approved construction, and be provided with a liquid tight closure at its lower end.

(3) The valve and its operating mechanism may be applied to the outside bottom of the tank. When applied in this manner, the valve operating mechanism shall be provided with a suitable locking arrangement to insure positive closure during transit.

(4) The valve operating mechanism for valves applied to the interior of the tank, and outlet nozzle construction shall insure against the unseating of the valve due to stresses or shocks incident to transportation.

(5) Bottom outlet nozzle of interior valves and the valve body of exterior valves, shall be of cast, fabricated or forged metal. If welded to tank, they shall be of good weldable quality in conjunction with metal of tank.

(6) To provide for the attachment of unloading connections, the bottom of the main portion of the outlet nozzle or valve body of exterior valves, or some fixed attachment thereto, shall be provided with threaded cap closure arrangement or bolted flange closure arrangement having minimum 1 inch threaded pipe plug.

(7) If outlet nozzle extends 6 inches or more from shell of tank a "V" groove shall be cut (not cast) in the upper part of outlet nozzle at a point immediately below lowest part of valve to a depth that will leave thickness of nozzle wall at the root of the "V" not over ⅜ inch. The outlet nozzle on interior valves or the valve body on exterior valves may be steam jacketed, in which case the breakage groove or its equivalent shall be below the steam chamber but above the bottom of center sill construction. If outlet nozzle is not a single piece, or if exterior valves are applied, provision shall be made for the equivalent of the breakage groove.

(8) The flange on the outlet nozzle or the valve body of exterior valves shall be of a thickness which will prevent distortion of the valve seat or valve by any change in contour of the shell resulting from expansion of lading, or other causes, and which will insure that accidental breakage of the outlet nozzle will occur at or below the "V" groove, or its equivalent.

(9) The valve shall have no wings or stem projecting below the "V" groove or its equivalent. The valve and seat shall be readily accessible or removable for repairs, including grinding.

(10) The valve operating mechanism on interior valves shall have means for compensating for variation in the vertical diameter of the tank produced by expansion, weight of the liquid contents, or other causes, and may operate from the interior of the tank, but in the event

the rod is carried through the dome, or tank shell, leakage shall be prevented by packing in stuffing box or other suitable seals and a cap.

(b) If indicated in § 79.201–1, tank may be equipped with bottom washout of approved construction. If applied, bottom washout shall be in accordance with the following requirements:

(1) The extreme projection of the bottom washout shall be at least 12 inches above top of rail.

(2) Bottom washout shall be of cast, forged or fabricated metal. If welded to tank, they shall be of good weldable quality in conjunction with metal of tank.

(3) If washout nozzle extends 6 inches or more from shell of tank, a "V" groove shall be cut (not cast) in the upper part of the nozzle at a point immediately below the lowest part of inside closure seat or plug to a depth that will leave wall thickness of nozzle at the root of the "V" not over ⅜ inch. Where nozzle is not a single piece, provision shall be made for the equivalent of the breakage groove. The nozzle shall be of a thickness to insure that accidental breakage will occur at or below the "V" groove or its equivalent.

(4) The closure plug and seat shall be readily accessible or removable for repairs.

(5) Joints between closures and their seats may be gasketed with suitable material.

§ 79.200–18 Safety relief devices.

(a) Safety relief valves.

(1) When permitted in § 79.201–1, each tank or compartment shall be equipped with one or more safety relief valves of approved design, made of metal not subject to rapid deterioration by the lading, and mounted on expansion dome of Class ICC–103 or 104 cars or top of tank shell of Class ICC–111A cars. Total valve discharge capacity shall be sufficient to prevent building up of pressure in the tank to more than 10 psi above start-to-discharge pressure. See AAR Specifications for Tank Cars, Appendix A, for formula for calculating discharge capacity.

(2) The start-to-discharge pressures and vapor tight pressures shall comply with § 79.201–1.

(b) Safety vents:

(1) When permitted in § 79.201–1, each tank or compartment used for the transportation of corrosive liquids, flammable solids, oxidizing materials, or poisonous liquids or solids, class B, need not be equipped with safety relief valves, but if not so equipped, shall have one safety vent at least 1¾ inches inside diameter, of an approved design which will prevent interchange with fixtures prescribed in § 79.200–16(a), and closed with a frangible disc of lead or other approved material of a thickness that will rupture at not more than 75 percent of tank test pressure. Means for holding disc in place shall be such as to prevent distortion or damage to disc when applied. Safety vent closure shall be chained or otherwise fastened to prevent misplacement. All tanks equipped with vents shall be stenciled "NOT FOR FLAMMABLE LIQUIDS."

§ 79.200–19 Reinforcements, when used, and appurtenances not otherwise specified.

(a) All attachments to tank and dome shall be applied by approved means. Rivets if used shall be calked inside and outside.

§ 79.200–20 Interior heater systems.

(a) See § 79.12.

§ 79.200–21 Closures for openings.

(a) All plugs shall be solid, with NPT threads, and shall be of a length which will screw at least 6 threads inside the face of fitting or tank. Plugs, when inserted from the outside of tank heads, shall have the letter "S" at least ⅜ inch in size stamped with steel stamp or cast on the outside surface to indicate the plug is solid.

§ 79.200–22 Test of tanks.

(a) Each tank shall be tested by completely filling the tank and dome or nozzles with water, or other liquid having similar viscosity, of a temperature which shall not exceed 100° F during the test; and applying the pressure prescribed in § 79.201–1. Tank shall hold the prescribed pressure for at least 10 minutes without leakage or evidence of distress. All rivets and closures, except safety relief valves or safety vents, shall be in place when test is made.

(b) Insulated tanks shall be tested before insulation is applied.

(c) Rubber-lined tanks shall be tested before rubber lining is applied.

(d) Calking of welded joints to stop leaks developed during the foregoing tests is prohibited. Repairs in welded joints shall be made as prescribed in AAR Specifications for Tank Cars, Appendix W.

§ 79.200–23 Tests of safety relief valves.

(a) Each valve shall be tested by air or gas for compliance with § 79.201–1 before being put into service.

§ 79.200–24 Stamping.

(a) To certify that the tank complies with all specification requirements, each tank shall be plainly and permanently stamped in letters and figures at least ⅜ inch high into the metal near the center of both outside heads as follows:

	Example of required stamping
Specification	ICC–103–W
Material	ASTM A285 C
Cladding material (if any)	ASTM A240–304 Clad
Tank builder's initials	ABC
Date of original test	00–0000
Car assembler (if other than tank builder)	DEF

§ 79.200–25 Stenciling.

(a) The tank, or the jacket if tank is insulated, shall be stenciled in compliance with the requirements of AAR Specifications for Tank Cars, Appendix C.

§ 79.200–26 Certificate of construction.

(a) See § 79.5.

§ 79.201 Individual specification requirements applicable to non-pressure tank car tanks.

§ 79.201–1 Individual specification requirements.

(a) In addition to § 79.200 the individual specification requirements are as follows:

ICC specifications	103W	103A–W	103A–N–W	103AL–W	103A–AL–W	103B–W	103C–W	103D–W	103E–W	104W
Material (see 79.200–7)	Steel	Steel	Nickel	Aluminum alloy.	Aluminum alloy.	Steel	Alloy steel	Alloy steel	Alloy steel	Steel
Insulation (see 79.200–4)	Optional	Optional	Optional	Optional	Optional	Optional	Optional	Optional	Optional	Required
Bursting pressure, p.s.i. (see 79.200–5).	240	240	240	240	240	240	240	240	240	240
Minimum plate thickness, inches:										
Shell (see 79.200–6)	79.201–2	79.201–2	79.201–2	⅛	⅛	79.201.2	79.201.2	79.201.2	79.201.2	79.201–2
Heads (see 79.200–6 and 79.200–8).	79.201–2	79.201–2	79.201–2	⅛	⅛	79.201–2	79.201–2	79.201–2	79.201–2	79.201–2
Dome	Required 2 percent in dome.	Required 1 percent in dome.	Required 1 percent in dome.	Required 2 percent in dome.	Required 1 percent in dome.	Required 1 percent in dome.	Required 1 percent in dome.	Required 2 percent in dome.	Required 1 percent in dome.	Required 2 percent in dome.
Minimum expansion capacity (see 79.200–14).										
Test pressure, p.s.i. (see 79.200–22).	60	60	60	60	60	60	60	60	60	60
Safety relief devices (see 79.200–18).	Valve or vent.	79.201–7	79.201–7	Valve or vent.	Valve or vent.	----------	Valve	Valve or vent.	Valve or vent.	Valve or vent.
Valve start-to-discharge pressure, p.s.i. (±3 p.s.i.).	35	35	35	35	35	----------	35	35	35	35
Valve vapor tight pressure (minimum p.s.i.).	28	28	28	28	28	----------	28	28	28	28
Valve flow rating pressure (maximum p.s.i.).	45	45	45	45	45	----------	45	45	45	45
Vent rupture pressure (maximum p.s.i.).	45	45	45	45	45	45	----------	45	45	45
Gaging devices (see 79.200–16).	Optional	Optional	Optional	Optional	Optional	Optional	Optional	Optional	Optional	Optional
Top loading and unloading devices (see 79.200–16).	Optional	Required (valves optional).	Required (valves optional).	Optional	Required (valves optional).	Required (valves optional).	Required (valves optional).	Optional	Required (valves optional).	Optional
Bottom outlet (see 79.200–17(a)).	Optional	Prohibited	Prohibited	Optional	Prohibited	Prohibited	Prohibited	Optional	Prohibited	Optional
Bottom washout (see 79.200–17(b)).	Optional	Optional	Optional	Optional	Optional	Prohibited	Prohibited	Optional	Optional	Optional
Closure for manway (see 79.200–15).	79.201–6(a)	----------	79.201–6(d)	79.201–6(a)	----------	79.201–6(b)	79.201–6(c)	79.201–6 (a), (c)	79.201–6(c)	79.201–6(a)
Stress relief (SR) or heat treatment (HT) (see 79.200–11).	SR	SR	Not required	Prohibited	Prohibited	SR	HT	HT (79.201–5)	HT (79.201–5)	SR
Other requirements	----------	----------	----------	----------	----------	79.201–3	79.201–4	----------	----------	----------

ICC specifications	[1] 111A60–W–1	111A60–AL–W	[1] 111A100–W–1	[1] 111A100–W–2	111A100–W–3	111A100–W–4	111A100–W–5	111A100–W–6	[1] 111A60–F–1 [1] 111A100–F–1 [1] 111A100–F–2
Material (see 79.200–7)	Steel	Aluminum alloy.	Steel	Steel	Steel	Steel	Steel	Alloy steel	----------
Insulation (see 79.200–4)	Optional	Optional	Optional	Optional	Required	Required (79.201–11).	Optional	Optional	----------
Bursting pressure, p.s.i. (see 79.200–5)	240	240	500	500	500	500	500	500	----------
Minimum plate thickness, inches:									
Shell (see 79.200–6)	7/16	¼	7/16	7/16	7/16	7/16	7/16	7/16	----------
Heads (see 79.200–6 and 79.200–8)	7/16	½	7/16	7/16	7/16	7/16	7/16	7/16	----------
Dome	None	None	None	None	None	None	None	None	----------
Minimum expansion capacity (see 79.200–14).	2 percent in tank.	2 percent in tank.	2 percent in tank.	1 percent in tank.	2 percent in tank.	73.314(a)	1 percent in tank.	2 percent in tank.	----------
Test pressure, p.s.i. (see 79.200–22)	60	60	100	100	100	100	100	100	----------
Safety relief devices (see 79.200–18)	Valve or vent.	Valve or vent.	Valve or vent.	79.201–7	Valve or vent.	Valve	Vent	Valve or vent.	----------
Valve start-to-discharge pressure, p.s.i. (±3 p.s.i.).	35	35	75	75	75	75	----------	75	----------
Valve vapor tight pressure (minimum p.s.i.).	28	28	60	60	60	60	----------	60	----------
Valve flow rating pressure (maximum p.s.i.).	45	45	85	85	85	85	----------	85	----------
Vent rupture pressure (maximum p.s.i.)	45	45	75	75	75	----------	75	75	----------
Gaging devices (see 79.200–16)	Required	Required	Required	Required	Required	Required (79.201–9).	Required	Required	----------
Top loading and unloading devices (see 79.200–16).	Optional	Optional	Optional	Required (valves optional).	Optional (if used, valves required).	Required (valves required).	Required (valves optional).	Optional (if used, valves required).	----------
Bottom outlet (see 79.200–17(a))	Optional	Optional	Optional	Prohibited	Optional	Prohibited	Prohibited	Optional	----------
Bottom washout (see 79.200–17(b))	Optional	Optional	Optional	Optional	Optional	Prohibited	Prohibited	Optional	----------
Closure for manway (see 79.200–15)	79.201–6(a)	79.201–6(a)	79.201–6(a)	----------	79.201–6(a)	79.201–6(a)	79.201–6(b)	79.201–6 (a) and (c)	----------
Stress relief (SR) or heat treatment (HT) (see 79.200–11).	SR	Prohibited	SR	SR	SR	SR	SR	HT (79.201–5).	----------
Other requirements	----------	----------	----------	----------	----------	79.201–8 & 79.201–10.	79.201–3	----------	----------

[1] Tanks converted to ICC–111A series from existing forge-welded specification ICC–105A300, 400, or 500 tanks, by modification using conversion details complying with ICC–111A specification requirements, shall be stenciled by substituting the letter "F" for the letter "W" in the specification designation.

§ 79.201–2 Minimum plate thickness.

(a) The minimum plate thickness shall be as follows:

Inside diameter of tanks	Bottom sheets (inch)	Shell sheets (inch)	Expansion dome sheets (inch)	2:1 ellipsoidal heads (inch)	3:1 ellipsoidal and dished tank heads (inch)	Expansion dome heads (inch)	Interior compartment heads (inch)
60 inches or under	7/16	1/4	5/16	7/16	1/2	5/16	5/16
Over 60 to 78 inches	7/16	5/16	5/16	7/16	1/2	5/16	5/16
Over 78 to 96 inches	1 1/2	3/8	5/16	7/16	1/2	5/16	3/8
Over 96 to 112 inches	1 1/2	7/16	5/16	7/16	9/16	5/16	7/16
Over 112 to 122 inches	1/2	1/2	9/16	1/4	5/8	9/16	1/4

[1] May be reduced to 7/16 inch when approved steels having tensile strength of 65,000 psi or higher are used.

§ 79.201–3 Lined tanks.

(a) Each tank or each compartment thereof shall be lined with acid resisting rubber or other approved material vulcanized or bonded directly or otherwise attached to the metal tank, to provide a non-porous laminated lining. The lining shall be at least 5/32 inch thick, except over all rivets and seams formed by riveted attachments where the lining shall be double thickness. The lining shall overlap at least 1½ inches at all edges, which shall be straight and be beveled to an angle of approximately 45 degrees, or butted edges of lining shall be sealed with a 3-inch minimum strip of lining having 45 degree beveled edges. An additional reinforcing pad at least 4½ feet square and at least ½ inch thick shall be applied by vulcanizing to the lining on bottom of tank directly under the manway opening. The edges of pad shall be beveled to an angle of approximately 45 degrees. An opening in this pad for sump is permitted. No lining shall be under tension when applied except due to conformation over rivet heads. Interior of tank shall be free from scale, oxidation, moisture and all foreign matter during the lining operations.

(b) All rivet heads on inside of tank shall be button-head or similar shape, of uniform size and the under surface of heads shall be driven tight against plate. All plates, castings and rivet heads on inside of tank shall be calked. All projecting edges of plates, castings and rivet heads on inside of tank shall be rounded and free from fins and other irregular projections. Castings shall be free from porosity.

(c) All surfaces of attachments or fittings and their closures, exposed to the lading shall be covered with at least ⅛ inch acid resistant material. Attachments made of metal not affected by the lading need not be acid resistant material covered.

§ 79.201–4 Material.

(a) Except for protective housing, all fittings, tubes and castings and all projections and their closures shall also meet the requirements of § 79.200–7(c).

§ 79.201–5 Heat treatment.

(a) All welding of the tank shell and of attachments welded directly thereto shall be heat treated as a unit to remove stresses at the proper temperature to obtain corrosion resistance specified in § 79.200–7(c), except for commodities not classed as Corrosive Liquids in Part 73 of this chapter, tanks made of ASTM A240 Type 304L and 316L are not required to be heat treated as a unit to remove stresses, nor to obtain the corrosion resistance specified in § 79.200–7 (c) (1).

§ 79.201–6 Closures for manways.

(a) The manway cover shall be designed to make it impossible to remove the cover while the interior of the tank is subjected to pressure.

(b) Manway cover shall be made of a suitable metal. The top, bottom and edge of manway cover shall be acid resistant material covered as prescribed in § 79.201–3. Through bolt holes shall be lined with acid resistant material at least ⅛ inch in thickness. Cover made of metal not affected by the lading need not be acid resistant material covered.

(c) Manway ring and cover shall be made of the metal prescribed in § 79.200–7(c).

(d) Manway rings shall be made of cast, forged or fabricated nickel and be a good weldable quality in conjunction with the metal of the dome.

§ 79.201–7 Safety relief devices.

(a) Each tank or compartment shall be equipped with a safety vent unless characteristics of the lading require a safety relief valve. Design of safety relief devices shall be such as to prevent interchange with fixtures prescribed in § 79.200–16(a).

(b) Safety vents, if used, shall be of approved design, at least 1¾ inches inside diameter, made of material not subject to rapid deterioration by the lading, and closed with a frangible disc of lead or other approved material of a thickness that will burst at not more than 75 percent of tank test pressure. Means for holding the disc in place shall be such as to prevent distortion or damage to disc when applied. Safety vent closure shall be chained or otherwise fastened to prevent misplacement.

(c) Safety relief valves, if used, shall be of approved design, made of metal not subject to rapid deterioration by the lading, and mounted on expansion dome of Class ICC–103 and 104 type tanks, or top of tank shell for Class ICC–111A type tanks.

§ 79.201–8 Sampling device and thermometer well.

(a) Sampling valve and thermometer well are not specification requirements. When used, they must be of approved design, made of metal not subject to rapid deterioration by lading, and must withstand a pressure of 100 pounds per square inch without leakage. Interior pipes of the sampling valve must be equipped with excess flow valves of an approved design. Interior pipe of thermometer well must be closed by an approved valve attached close to fitting where it passes through the tank and closed by a screw plug. Other approved arrangements that permit testing thermometer well for leaks without complete removal of the closure may be used.

§ 79.201–9 Gaging device.

(a) A gaging device of an approved design shall be applied to permit determining the liquid level of the lading. The interior pipe of the gaging device shall be equipped with an excess flow valve of an approved design. This device shall be provided with a protective housing.

(b) An excess flow valve, as referred to in this specification, is a device which closes automatically against the outward flow of the contents of the tank such as may be encountered in case the external closure valve is broken off or removed during transit. Excess flow valves may be designed with a by-pass to allow equalization of pressures.

§ 79.201–10 Water capacity marking.

(a) Water capacity of the tank in pounds stamped plainly and permanently in letters and figures at least ⅜ inch high into the metal of the tank immediately below the stamped marks specified in § 79.200–24(a). This mark shall also be stenciled on the jacket immediately below the dome platform and directly behind or within 3 feet of the right or left side of the ladder, or ladders, if there is a ladder on each side of the tank, in letters and figures at least 1½ inches high as follows:

WATER CAPACITY
000000 Pounds

§ 79.201–11 Insulation.

(a) Insulation shall be of sufficient thickness so that the thermal conductance at 60 F is not more than 0.075 Btu per hour, per square foot, per degree F temperature differential.

§ 79.202 Special commodity requirements for non-pressure tank car tanks.

(a) In addition to §§ 79.200 and 79.201 the following requirements are applicable:

§ 79.202–1 Flamable liquids not specifically provided for.

(a) Specs. ICC–103, 103–W, 103AL–W, 103D–W, 104, 104–W, 111A60AL–W, 111A100–F–1, 111A100–W–1, 111A100–W–

3, 111A100–W–4, and 111A100–W–6, tank cars used to transport flammable liquids not specifically provided for shall have manway closures so designed that pressure will be released automatically by starting the operation of removing the manway cover. Openings in tank heads to facilitate application of lining are authorized and shall be closed in an approved manner. Spec. 103, 103–W, 103AL–W, 104, 104–W, 111A60AL–W or 111A100–W–3, used to transport flammable liquids not specifically provided for, having a vapor pressure exceeding 27 pounds per square inch absolute at 100° F but not exceeding 40 pounds per square inch absolute at 100° F, shall have their manway closures equipped with approved safeguards making removal of closures from the manway opening practically impossible while car interior is subjected to vapor pressure of lading. These cars shall be stenciled on each side of domes in line with the ladders, and in a color contrasting to the color of the dome with the identification mark as prescribed in § 73.119(g) of this chapter.

§ 79.202–2 Dimethyl dichlorosilane, Ethyl dichlorosilane, Ethyl trichlorosilane, Methyl trichlorosilane, Trimethyl chlorosilane, Vinyl trichlorosilane, Methyl dichlorosilane and Trichlorosilane.

(a) Specs. 103, 103–W, 111A60–F–1, 111A60–W–1 and 111A100–W–1 tank cars used to transport Dimethyl dichlorosilane, Ethyl dichlorosilane, Ethyl trichlorosilane, Methyl trichlorosilane, Trimethyl chlorosilane, Vinyl trichlorosilane, Methyl dichlorosilane, and Trichlorosilane, shall not be equipped with bottom discharge outlet.

§ 79.202–3 Amyl mercaptan, Butyl mercaptan, Ethyl mercaptan, Isopropyl mercaptan, Propyl mercaptan, and Aliphatic mercaptan mixtures.

(a) Specs. 103–W, 111A60–F–1 and 111A60–W–1 tank cars used to transport Amyl mercaptan, Butyl mercaptan, Ethyl mercaptan, Isopropyl mercaptan, Propyl mercaptan, an Aliphatic mercaptan mixtures shall have bottom outlets effectively sealed. Bottom washout permitted.

§ 79.202–4 Potassium nitrate mixed (fused) with Sodium nitrite.

(a) Spec. 103–W tank cars used to transport Potassium nitrite mixed (fused) with Sodium nitrate shall be specially designed, equipped and approved for this service, without bottom discharge outlet and with heavier plate thicknesses than the minimum prescribed for cars built under this specification. For spec. 103–W tank cars made of plates having the minimum prescribed thicknesses, internal reinforcement of the upper sheets of tank in the region of the dome and reinforcing plates attached to the bottom sheet of the tank which rests on bolsters is required, and these tanks shall be equipped with baffle plates. Heater pipes shall be of welded construction designed for a test pressure of 500 pounds per square inch. A one inch woven asbestos lining shall be placed between bolster slabbing and bottom of tank to prevent heat transmission. Safety vents of the frangible disc type may be used and if used the frangible discs shall be perforated with ⅛ inch hole. If safety relief valves are used, a vacuum relief valve shall be installed on the dome. Tanks shall be stenciled on both sides "FUSED POTASSIUM NITRATE AND SODIUM NITRITE ONLY."

§ 79.202–5 Phosphorus, white or yellow.

(a) Specs. ICC–103, 103–W, 111A60–F–1, 111A60–W–1 and 111A100–W–1 tank cars used to transport Phosphorous, white or yellow, shall be equipped with approved dome fittings, external heater systems and with insulation at least 4 inches in thickness, except that thickness of insulation may be reduced to 2 inches over external heater coils. Bottom washout nozzle of approved design may be applied. Bottom outlet for discharge of lading prohibited.

§ 79.202–6 Cumene hydroperoxide, Diisopropylbenzene hydroperoxide and Paramenthane hydroperoxide.

(a) Specs. ICC–103, 103–W. 111A60–F–1, 111A60–W–1 and 111A100–W–1 tank cars used to transport Cumene hydroperoxide of strength not exceeding 90 percent in a nonvolatile solvent, Paramenthane hydroperoxide of strength not exceeding 60 percent in a nonvolatile solvent and Diisopropylbenzene hydroperoxide of strength not exceeding 60 percent in a nonvolatile solvent, shall have bottom outlets effectively sealed from the inside.

§ 79.202–7 Titanium tetrachloride, anhydrous.

(a) Specs. ICC–103A, 103A–W, 111A100–F–2 and 111A100–W–2 tank cars used to transport Titanium tetrachloride, anhydrous, shall have safety relief valves of approved design and not subject to rapid deterioration by the lading.

§ 79.202–8 Chloracetyl chloride.

(a) Specs. ICC–103A–W, 111A100–F–2 and 111A100–W–2 tank cars used to transport Chloracetyl chloride shall have a nickel cladding of 1/16 inch minimum thickness. Nickel cladding in tanks shall have a minimum nickel content of at least 99 percent pure nickel. Spec. ICC–103A–N–W tank cars used to transport Chloracetyl chloride shall be of solid nickel at least 99 percent pure and all cast metal parts of the tank in contact with the lading shall have a minimum nickel content of approximately 96.7 percent.

§ 79.202–9 Hydrochloric (muriatic) acid not over 38 percent strength by weight except acid of 22° Baume strength or other fuming acids.

(a) Spec. ICC–103B, 103B–W, or 111A100–W–5 tank cars used to transport Hydrochloric (muriatic) acid not over 38 percent except acid of 22° Baume strength and other fuming acids, may be equipped with safety vent of approved design having a frangible disc with ⅛ inch breather hole in the center, or a safety vent of approved design using carbon discs permitting continuous venting.

§ 79.202–10 Hydrogen peroxide solution in water exceeding 52 percent by weight.

(a) Spec. ICC–103A–AL–W tank cars used to transport Hydrogen peroxide solution in water exceeding 52 percent by weight, shall be equipped with a venting arrangement approved by the Bureau of Explosives.

§ 79.202–11 Phosphorus oxychloride, Phosphorus trichloride, and Thiophosphoryl chloride.

(a) Spec. ICC–103A–N–W tank cars used to transport Phosphorus oxychloride, Phosphorus trichloride, and Thiophosphoryl chloride, shall be solid nickel at least 99 percent pure and all cast metal parts of the tank in contact with the lading have a minimum nickel content of approximately 96.7 percent. Spec. ICC–103A tank cars used to transport phosphorus oxychloride, phosphorus trichloride, and thiophosphoryl chloride shall be lead-lined steel, or made of steel at least 10 percent nickel clad. Spec. ICC–103A–W, 111A100–F–2 or 111A100–W–2 tank cars used to transport Phosphorus oxychloride, Phosphorus trichloride and Thiophosphoryl chloride shall be lead-lined steel or made of steel with a minimum thickness of nickel cladding of 1/16 inch. Nickel cladding in tanks shall have a minimum nickel content of at least 99 percent pure nickel. Spec. ICC–103E–W tank cars used to transport Phosphorus trichloride and Thiophosphoryl chloride shall have tanks fabricated from Type 316 stainless steel.

§ 79.202–12 Sulfuric acid of concentrations 65.25 percent (approximately 1.559 specific gravity) (52° Baume) or greater.

(a) Spec. ICC–103A, 103A–W, 111A100–F–2 or 111A100–W–2 tank cars used to transport Sulfuric acid of concentration 65.25 percent (approximately 1.559 specific gravity) (52° Baume) except oleum, mixed acid (nitric and sulfuric) (nitrating acid) and other fuming acids, may have safety vents equipped with lead discs having a ⅛ inch breather hole in the center thereof.

§ 79.20213 Sulfur trioxide, stabilized.

(a) Specs. ICC–103A, 103A–W, 111A100–F–2, 111A100–W2 and 105A300–W tank cars, used to transport Sulfur trioxide, stabilized, shall be equipped with safety relief valves of approved design and not subject to rapid deterioration by the lading. Tanks equipped with interior heating coils not permitted.

§ 79.202–14 Anhydrous hydrazine and Hydrazine solutions containing 50 percent or less of water.

(a) Specs. ICC–103C–W and 111A100–W–6 tank cars used to transport Anhydrous hydrazine or Hydrazine solutions containing 50 percent or less water, shall have tanks fabricated of Type 304L or 347 stainless steel with molybdenum content not exceeding one-half of one percent.

§ 79.202–15 Formic acid and Formic acid solutions.

(a) Spec. ICC–103E–W tank cars used to transport Formic acid or Formic acid

solutions, shall have tanks fabricated from Type 316 stainless steel and be stenciled "FOR FORMIC ACID ONLY."

§ 79.202–16 Monochloroacetic acid, liquid.

(a) Specs. ICC–103A–W, 111A100–F–2 and 111A100–W–2 tank cars used to transport Monochloroacetic acid, liquid, shall have tanks nickel clad at least 20 percent.

§ 79.202–17 Benzyl chloride.

(a) Spec. ICC–103A, 103A–W, 111A100–F–2 or 111A100–W–2 tank cars used to transport Benzyl chloride, stabilized, may be 10 percent nickel clad. Spec. 103A–N–W tank cars used to transport Benzyl chloride shall have all cast metal parts in contact with the lading made from metal having a minimum nickel content of approximately 96.7 percent.

§ 79.202–18 Ethylene oxide.

(a) Spec. ICC–111A100–W–4 tank cars used to transport Ethylene oxide, may have opening in the tank heads to facilitate application of nickel lining. Such openings in tank heads shall be closed in an approved manner.

§ 79.202–19 Dimethylhydrazine, unsymmetrical.

(a) Specs. ICC–103–W and 103C–W tank cars used to transport Dimethylhydrazine, unsymmetrical, shall be equipped with steel safety valves of approved design. Spec. 103–W tank cars shall not be equipped with bottom outlets.

Subpart E—Specifications for Multi-Unit Tank Car Tanks (Classes ICC–106A and 110A–W)

§ 79.300 General specifications applicable to multi-unit tank car tanks designed to be removed from car structure for filling and emptying.

§ 79.300–1 Tanks built under these specifications shall meet the requirements of § 79.300, § 79.301 and when applicable, § 79.302.

§ 79.300–2 Approval.

(a) For procedure for securing approval, see § 79.3.

§ 79.300–3 Type and general requirements.

(a) Tanks built under this specification shall be cylindrical, circular in cross section, and shall have heads of approved design. All openings shall be located in the heads.

(b) Each tank shall have a water capacity of at least 1500 pounds and not more than 2600 pounds.

(c) For tanks made in foreign countries, a chemical analysis of materials and all tests as specified shall be carried out within the limits of the United States under the supervision of a competent and impartial inspector.

§ 79.300–4 Insulation.

(a) Tanks shall not be insulated.

§ 79.300–5 Bursting pressure.

(a) The minimum required bursting pressure is listed in § 79.301.

§ 79.300–6 Thickness of plates.

(a) For Class ICC–110A tanks, the wall thickness of the cylindrical portion of the tank shall not be less than that specified in § 79.301 nor that calculated by the following formula:

$$t=\frac{Pd}{2SE}$$

where:

d = inside diameter in inches;
E = 0.9 welded joint efficiency;
P = minimum required bursting pressure in psi;
S = minimum tensile strength of plate material in psi as prescribed in § 79.300–7;
t = minimum design thickness of plate in inches.

(b) For Class ICC–106A tanks, the wall thickness of the cylindrical portion of the tank shall not be less than that specified in § 79.301 and shall be such that at the tank test pressure the maximum fiber stress in the wall of the tank will not exceed 15,750 psi as calculated by the following formula:

$$s=\frac{p(1.3D^2+0.4d^2)}{D^2-d^2}$$

where:

d = inside diameter in inches;
D = outside diameter in inches;
p = tank test pressure in psi;
s = wall stress in psi.

(c) If plates are clad with material having tensile strength at least equal to the base plate, the cladding may be considered a part of the base plate when determining the thickness. If cladding material does not have tensile strength at least equal to the base plate, the base plate alone shall meet the thickness requirements.

§ 79.300–7 Material.

(a) Carbon steel plate material used to fabricate tanks with fusion-welded heads shall be open hearth boiler plate of flange or firebox quality having a carbon content not exceeding 0.31 percent and complying with one of the following ASTM specifications for the material and with the indicated tensile strength and elongation in the welded condition:

Specification	Minimum tensile strength (psi) welded condition	Minimum elongation in 2 inches (percent) welded condition
ASTM A–212 Gr A	65,000	20
ASTM A–212 Gr B	70,000	20
ASTM A–285 Gr A	45,000	29
ASTM A–285 Gr B	50,000	20
ASTM A–285 Gr C	55,000	20

(1) These plates may be clad with other approved metals.

(b) Carbon steel plate material used to fabricate tanks with forge-welded heads shall be open hearth boiler plate of firebox quality complying with specification ASTM A–285 Grade A.

(c) All plates shall have their heat number and the name or brand of the manufacturer legibly stamped on them at the rolling mill.

§ 79.300–8 Tank heads.

(a) Class ICC–110A tanks shall have fusion-welded heads formed concave to pressure. Heads for fusion welding shall be an ellipsoid of revolution 2:1 ratio of major to minor axis. They shall be one piece, hot formed in one heat so as to provide a straight flange at least 1½ inches long. The thickness shall not be less than that calculated by the following formula:

$$t=\frac{Pd}{2SE}$$

where symbols are as defined in § 79.300–6 (a).

(b) Class ICC–106A tanks shall have forged-welded heads formed convex to pressure. Heads for forge welding shall be torispherical with an inside radius not greater than the inside diameter of the shell. They shall be one piece, hot formed in one heat so as to provide a straight flange at least 4 inches long. They shall have snug drive fit into the shell for forge welding. The thickness shall be sufficient to meet the test requirements of § 79.300–16 and to provide for adequate threading of openings.

§ 79.300–9 Welding.

(a) Longitudinal joints shall be fusion welded. Head-to-shell joints shall be forge welded on Class ICC–106A tanks and fusion welded on Class ICC–110A tanks. Welding procedures, welders and fabricators shall be approved.

(b) Fusion-welded joints shall be in compliance with the requirements of AAR Specifications for Tank Cars, Appendix W, except that circumferential welds in tanks less than 36 inches inside diameter need not be radiographed.

(c) Forge-welded joints shall be thoroughly hammered or rolled to insure sound welds. The flanges of the heads shall be forge lapwelded to the shell and then crimped inwardly toward the center line at least one inch on the radius. Welding and crimping must be accomplished in one heat.

§ 79.300–10 Stress relieving.

(a) After welding is complete, steel tanks and all attachments welded thereto, shall be stress relieved as a unit in compliance with the requirements of AAR Specifications for Tank Cars, Appendix W.

§ 79.300–11 Tank mounting.

(a) For tank mounting, see § 79.10.

§ 79.300–12 Protection of fittings.

(a) Tanks shall be of such design as will afford maximum protection to any fittings or attachment to the head including the housing referred to in § 79.300–12(b). Tank ends shall slope or curve inward toward the axis so that the diameter at each end is at least 2 inches less than the maximum diameter.

(b) Loading and unloading valves shall be protected by a detachable protective housing of approved design which shall not project beyond the end of the tank and shall be securely fastened to

the tank head. Safety relief devices shall not be covered by the housing.

§ 79.300–13 Venting, loading and unloading valves.

(a) Valves shall be of approved type, made of metal not subject to rapid deterioration by lading, and shall withstand tank test pressure without leakage. The valves shall be screwed directly into or attached by other approved methods to one tank head. Provision shall be made for closing outlet connections of the valves.

(b) Threads for openings shall be National Gas Taper Threads (NGT) tapped to gage, clean cut, even and without checks.

§ 79.300–14 Attachments not otherwise specified.

(a) Siphon pipes and their couplings on the inside of the tank head and lugs on the outside of the tank head for attaching the valve protective housing shall be fusion-welded in place prior to stress relieving. All other fixtures and appurtenances, except as specifically provided for, are prohibited.

§ 79.300–15 Safety relief devices.

(a) Unless prohibited in § 79.302, or in Part 73 of this chapter, tanks shall be equipped with one or more safety relief devices of approved type, made of metal not subject to rapid deterioration by the lading and screwed directly into tank heads or attached to tank heads by other approved methods. The total discharge capacity shall be sufficient to prevent building up pressure in tank in excess of 82.5 percent of the tank test pressure. When safety relief devices of the fusible plug type are used, the required discharge capacity shall be available in each head. See AAR Specifications for Tank Cars, Appendix A, for formula for calculating discharge capacity.

(b) Threads for openings shall be National Gas Taper Threads (NGT) tapped to gage, clean cut, even and without checks.

(c) Safety relief valves shall be set for start-to-discharge and frangible discs shall burst at a pressure not exceeding that specified in § 79.301.

(d) Fusible plugs shall function at a temperature not exceeding 175 F and shall be vapor-tight at a temperature of not less than 130 F.

§ 79.300–16 Tests of tanks.

(a) After stress relieving, tanks shall be subjected to hydrostatic expansion test in a water jacket, or by other approved methods. No tank shall have been subjected previously to internal pressure within 100 pounds of the test pressure. Each tank shall be tested to the pressure prescribed in § 79.301. Pressure shall be maintained for 30 seconds and sufficiently longer to insure complete expansion of tank. Pressure gage shall permit reading to accuracy of one percent. Expansion gage shall permit reading of total expansion to accuracy of one percent. Expansion shall be recorded in cubic centimeters.

(1) No leaks shall appear and permanent volumetric expansion shall not exceed 10 percent of total volumetric expansion at test pressure.

(b) After all fittings have been installed, each tank shall be subjected to interior air pressure test of at least 100 psi under conditions favorable to detection of any leakage. No leaks shall appear.

(c) Repairs of leaks detected in manufacture or in foregoing tests shall be made by the same process as employed in manufacture of tank. Calking, soldering, or similar repairing is prohibited.

§ 79.300–17 Tests of safety relief devices.

(a) Each valve shall be tested by air or gas before being put into service. The valve shall open and be vapor-tight at the pressures prescribed in § 79.301.

(b) For safety relief devices of the frangible disc type, a sample of the disc used shall be burst and be vapor-tight at the pressures prescribed in § 79.301.

(c) For safety relief devices of the fusible plug type, a sample of the plug used shall function at the temperatures prescribed in § 79.300–15.

(d) The start-to-discharge and vapor-tight pressures shall not be affected by any auxiliary closure or other combination.

§ 79.300–18 Stamping.

(a) To certify that the tank complies with all specification requirements, each tank shall be plainly and permanently stamped in letters and figures ⅜ inch high into the metal of valve end chime as follows:

(1) ICC Specification number.

(2) Material and cladding material if any (immediately below the specification number).

(3) Owner's or builder's identifying symbol and serial number (immediately below the material identification). The symbol shall be registered with the Bureau of Explosives, duplications are not authorized.

(4) Inspector's official mark (immediately below the owner's or builder's symbol).

(5) Date of original tank test (month and year, such as 1–64 for January 1964). This should be so placed that dates of subsequent tests may easily be added thereto.

(6) Water capacity — 0000 pounds.

(b) A copy of the above stamping in letters and figures of the prescribed size stamped on a brass plate secured to one of the tank heads is authorized.

§ 79.300–19 Inspection.

(a) Tank shall be inspected within the United States and Canada by a competent and impartial inspector acceptable to the Bureau of Explosives. For tanks made outside the United States and Canada, the specified inspection shall be made within the United States.

(b) The inspector shall carefully inspect all plates from which tanks are to be made and secure records certifying that plates comply with the specification. Plates which do not comply with § 79.300–7 shall be rejected.

(c) The inspector shall make such inspection as may be necessary to see that all the requirements of this specification, including markings, are fully complied with; shall see that the finished tanks are properly stress relieved and tested.

(d) The inspector shall stamp his official mark on each accepted tank as required in § 79.300–18, and render the report required in § 79.300–20.

§ 79.300–20 Reports.

(a) Before a tank is placed in service, the inspector shall furnish to the builder, tank owner, Bureau of Explosives and the Secretary, Mechanical Division, Association of American Railroads, a report in approved form certifying that the tank and its equipment comply with all the requirements of this specification.

(b) For builder's Certificate of Construction, see § 79.5(b).

§ 79.301 Individual specification requirements for multi-unit tank car tanks.

(a) In addition to § 79.300 the individual specification requirements are as follows:

ICC specifications	106A500–X	106A800–X	110A500–W	110A800–W	110A1000–W
Bursting pressure, psi (see § 79.300–5)	None specified	None specified	1250	2000	2500
Minimum thickness shell, inches	13/32	1 1/16	11/32	19/32	19/32
Test pressure, psi (see § 79.300–16)	500	800	500	800	1000
Safety relief devices psi (see § 79.300–15)					
Start-to-discharge, or burst maximum	375	600	375	600	700
Vapor-tight, minimum	300	480	300	480	650

§ 79.302 Special commodity requirements for multi-unit tank car tanks.

(a) In addition to §§ 79.300 and 79.301 the following requirements are applicable:

Commodity	Safety relief device	Valve protective housing	Miscellaneous
Aluminum triethyl	Valve required		
Aluminum trimethyl	do		
Pyroforic fuel	do		
Triisobutyl aluminum	do		
Ethyl aluminum sesquichloride	do		
Diethyl aluminum chloride	do		
Ethyl aluminum dichloride	do		
Methyl aluminum sesquichloride	do		
Methyl aluminum sesquibromide	do		
Nitrosyl chloride	Fusible plug required		(4).
Chlorine trifluoride	Prohibited[1]		
Hydrogen sulfide	do.[1]	Gas tight[2]	
Chlorpicrin	do.[1]	do.[2]	§ 73.357.
Methyl mercaptan	do.[1]		
Hydrofluoric acid	do.[1]		
Nitrogen dioxide liquid	do.[1]	Gas tight.[2]	
Nitrogen peroxide liquid	do.[1]	do.[2]	
Nitrogen tetroxide liquid	do.[1]	do.[2]	
Nitrogen tetroxide-nitric oxide mixtures	do.[1]	do.[2]	
Phosgene	do.[1]	do.[2]	
Vinyl chloride			(3).
Vinyl methyl ether			(3).
Titanium tetrachloride (anhydrous)	Prohibited[1]		

[1] When safety relief devices are prohibited, containers may be equipped with solid steel plugs in the safety device openings.

[2] The detachable protective housing for the loading and unloading valves must withstand tank test pressure without leakage and must be approved by the Bureau of Explosives.

[3] All parts of valves and safety relief devices in contact with the lading must be of a metal or other material, suitably treated if necessary, which will not cause formation of any acetylides.

[4] Tanks for Nitrosyl chloride shall be nickel-clad and safety relief devices shall be of the fusible plug type and shall function at a temperature not exceeding 175 F and be vaportight at 130 F.

Subpart F—Specifications for Liquefied Hydrogen Tank Car Tanks and Seamless Steel Tanks (Classes ICC–113A–W and 107A)

§ 79.400 General specifications applicable to liquefied hydrogen tank car tanks.

§ 79.400–1 General.

(a) Tanks built under these specifications must meet the requirements of §§ 79.400 and 79.401.

§ 79.400–2 Approval.

(a) For procedure for securing approval, see § 79.3.

§ 79.400–3 Type.

(a) A tank built in accordance with this specification shall consist of an inner (pressure) container suitably supported within an outer shell, and forming a part of a railway car. The car shall be equipped with piping systems for vapor venting, transfer of the lading and with safety relief devices, controls, gages and valves prescribed herein for safe operation of the unit in storage, transport and transfer of the lading.

(b) The inner (pressure) container shall be a fusion-welded cylindrical shell closed at each end with formed heads convex outward and suitable for operation at temperatures as low as —423 F.

(c) The outershell shall be a fusion-welded cylindrical shell with formed heads.

(d) *Compartments.* When the interior of the tank is divided into compartments, each compartment must have two heads designed convex outward and comply with all other requirements described in this specification.

§ 79.400–4 Bursting pressure.

(a) The minimum required bursting pressure of the inner container is listed in § 79.401.

§ 79.400–5 Thickness of plates.

(a) The wall thickness of the inner container shell and heads shall not be less than that specified in § 79.401, nor that calculated by the following formula:

$$t=\frac{Pd}{2SE}$$

where:

d = inside diameter in inches;
E = efficiency of longitudinal welded joint—90 per cent;
P = minimum required bursting pressure in psi;
S = minimum ultimate tensile strength of plate material in psi as prescribed in § 79.400–6;
t = minimum design thickness of plate in inches.

§ 79.400–6 Materials.

(a) The material used in the shell, heads and appurtenances shall be suitable for use at minus 423° F and compatible with the lading and the usual cleaning compounds recommended for this service. Chromium-nickel steel plate made to ASTM specification A–240–61T, Type 304, is an approved material and, when used, it shall be in the annealed condition prior to fabricating, forming or fusion-welding. Other approved materials may be used. The minimum ultimate tensile strength shall be as given in ASTM specification A–240, Type 304.

§ 79.400–7 Heads.

(a) The formed heads on the inner container shall preferably be ellipsoids of revolution in which the major axis shall equal the inside diameter of the shell and the minor axis shall be one-half of the major axis. The minimum thickness after forming shall be determined by the provisions of § 79.400–5(a) except that an efficiency of 100 percent may be used for a seamless head. Formed heads of other approved contours and thicknesses may be used but in no case shall the plate thickness be less than 3/16 inch.

§ 79.400–8 Welding—inner container.

(a) All joints must be fusion-welded in compliance with the requirements of the AAR Specifications for Tank Cars, Appendix W, except that the following requirements supersede requirements listed under "Test Plates," "Bend Test," and "Impact Test" of Appendix W.

(b) *Test plates.* A welded test plate of the dimensions shown in Figure W–2 of AAR Specifications for Tank Cars, Appendix W shall be made for each container using the same weld procedure as used in welding the longitudinal seams of the container. Test plates shall be prepared from material having the same material specification and mill heat numbers as used in the shell or main heads of the inner container. After welding is completed, the test plate shall be radiographed, and the standards of judgment of weld acceptability as set forth in Par. 10.74–1 of AAR Specifications for Tank Cars, Appendix W, shall be followed.

(c) *Test specimens.* The following test specimens shall be removed from the welded test plate and subjected to tests prescribed below:

(1) *Bend test.* Four transverse bend test specimens shall be removed from the welded test plate transverse to the welded joint of the test plate. The specimens shall be of rectangular cross section 1½ inches wide and the full thickness of the test plate. Weld reinforcements on each side of each test specimen shall be removed flush with the plane of the plate surface. Specimens shall be saw-cut from the test plate. Removal of test specimens from the test plate by means of flame cutting is prohibited. The specimens shall be subjected to a guided bend test, and two transverse face bend tests and two transverse root bend tests shall be performed. A bend test specimen that reveals no cracks or other open defects exceeding ⅛ inch measured in any direction on the convex surface of the specimen shall be considered to have passed the bend test. Cracks occurring on the corners of the specimen during the test shall not be considered as cause for rejection, unless there is definite evidence that they are the result of slag inclusions in the weld or other internal defects.

(2) *Impact tests.* Three sets of three impact test specimens shall be saw-cut from the welded test plate. These specimens shall be used for determining the impact properties of the plate material, weld zone and heat-affected zone. Impact test specimens shall be of the Charpy type, keyhole or milled U-notch, with the base of the notch normal to the plate surface, and shall conform in all respects to Figure 3 of ASTM Specification E–23–60–T. Impact test specimens shall be cooled in liquid nitrogen (—320 F). The apparatus for testing the specimens shall be in accordance with the requirements of ASTM Specification E–23–60–T. The test piece and handling tongs shall be cooled for a length of time sufficient to reach the temperature of liquid nitrogen. The specimen shall be quickly transferred from the cooling device to the anvil of the testing machine and broken within a time lapse of not more than six seconds.

(3) *Impact properties.* The impact properties of each set of impact specimens shall be not less than the values listed below:

Size of specimen	Minimum impact value required for average of each set of 3 specimens	Minimum impact value permitted on 1 specimen only of each set of 3 specimens
	Foot-Pound	*Foot-Pound*
55 mm x 10 mm x 10 mm	15	10
55 mm x 10 mm x 7.5 mm	12.5	8.5
55 mm x 10 mm x 5 mm	10	7
55 mm x 10 mm x 2.5 mm	5	3.5

When the average value of the three specimens equals or exceeds the minimum value permitted for a single specimen, and the value for more than one specimen is less than the minimum value required for the average of the three specimens, or when the impact value of one specimen is below the minimum value permitted for a single specimen, a retest of three additional specimens shall be made. The value from each retest specimen shall equal or exceed the minimum value required for the average of three specimens given above. When an erratic result is caused by a defective specimen or there is uncertainty in the test procedure, a retest is authorized.

§ 79.400–9 Stress relieving.

(a) Stress relieving of the inner container is not a requirement of this specification.

§ 79.400–10 Cleaning interior container.

(a) The interior of the tank and all lines connecting to it shall be thoroughly cleaned. Proper precautions shall be taken to avoid subsequent recontamination of the system after cleaning.

§ 79.400–11 Test of inner container.

(a) After all items to be welded to the inner container have been welded in place, the inner container shall be pressurized hydrostatically or pneumatically to the test pressure prescribed in § 79.401. The temperature of the pressurizing medium shall not exceed 100 F during the test. The container shall hold the prescribed pressure for a period of not less than ten minutes without leakage or evidence of distress. Due regard should be taken of the potential hazard involved in a pneumatic test. After the container has passed the pressure test, the container and piping shall be emptied of all water and purged of all water vapor if water is used for testing.

(b) Calking of welded joints to stop leaks developed during the foregoing test is prohibited. Repairs to welded joints shall be made as prescribed in § 79.400–8.

§ 79.400–12 Radiography.

(a) All longitudinal and circumferential double-butt, fusion-welded joints of the inner container and outer shell shall be examined throughout their entire length by the X-ray or gamma-ray method of radiography. The standards of judgment for acceptability of welds examined by radiography shall be in accordance with Par. 10.74–1 of AAR Specifications for Tank Cars, Appendix W.

§ 79.400–13 Support system for inner container.

(a) The inner container shall be supported within the outer shell by a support system of adequate strength and ductility at its operating temperature to support the inner container when filled with liquid lading to any level incidental to operation of the complete unit as a railway tank car. The support system shall be designed to be capable of supporting, without yielding, impact loads producing accelerations of the following magnitudes and directions when the inner container is fully loaded, and the car is equipped with a conventional AAR Specification M–901 draft gear:

Longitudinal	7G
Transverse	3G
Vertical	3G

The longitudinal acceleration may be reduced to 3G where a cushioning device of approved design, which has been tested to demonstrate its ability to limit body forces to 400,000 pounds maximum at 10 miles per hour, is used between the coupler and the tank structure. The support system shall be of an approved design and such that the inner container shall be thermally isolated from the outer shell to the best practical extent.

§ 79.400–14 Access to inner container.

(a) The inner container shall be provided with a means of access having a minimum inside diameter of 16 inches and having a welded closure so designed as to allow it to be reopened by grinding or chipping and to be closed again by rewelding without a need for new parts. A cutting torch shall not be used. The closure and the reinforcement of the opening in the container shall be of approved design and made of the same material as is used in the container. Consideration must be given in the design to minimizing contamination of the container and the vacuum space when the closure is opened and closed. The outer shell shall be provided with an access opening of sufficient size (and aligned with the container access opening) to permit removal of the container closure and access into the container. The closure and the reinforcement of the opening in the outer shell shall be of approved design and made of the same material as is used in the outer shell. The closure shall preferably be so designed as to allow it to be reopened by grinding or chipping and to be closed again by rewelding without a need for new parts. A passageway connecting the inner container with the outer shell is not a specification requirement.

§ 79.400–15 Outer shell.

(a) *Design.* The outer shell shall be designed to withstand an external pressure of one atmosphere.

(b) *Thickness of plates.* The wall thickness of steel plates in the cylindrical portion of the outer shell shall be not less than 7/16 inch.

(c) *Material.* All plate material in the outer shell shall be flange quality or firebox quality steel, made to an approved specification, the carbon content of which shall not exceed 0.31 percent. Steel plate materials in accordance with material specifications listed in Group 1, Table A of AAR Specifications for Tank Cars, Appendix W, are approved for use in the outer shell of tanks built to this specification.

(1) All steel castings, steel forgings and steel structural shapes shall be of material to an approved specification.

(2) Rivets, when used, shall be of steel to an approved specification.

(d) *Heads.* The formed heads at each end of the outer shell preferably shall be an ellipsoid of revolution in which the major axis shall equal the inside diameter of the shell and the minor axis shall be one-half of the major axis. Formed heads of other approved contours may be used, but in no case shall the wall thickness be less than 7/16 inch.

(e) *Stiffening rings.* If stiffening rings are used in designing the cylindrical portion of the outer shell for external pressure, they shall be attached to the shell by means of fillet welds on each side of the ring. Outside stiffening ring attachment welds shall be continuous. Inside ring attachment welds may be intermittent. When intermittent welds are used, the total length of welds on each side of the ring shall not be less than one-third of the circumference of the outer shell. Where a closed section is used, it shall be continuously welded on the outside of each leg. A portion of the outer shell may be included when calculating the moment of inertia of the ring. The effective width of shell plate, W, on each side of the attachment of the stiffening ring is given by:

$$W = 0.78\sqrt{Rt}$$

where:

W = width of shell effective on each side of the stiffener—inches;
R = outside radius of the outer shell—inches;
t = plate thickness of the outer shell—inches.

Where a stiffener is used which consists of a closed section having two webs attached to the outer shell, the shell plate between the webs shall be included up to the limit of twice the value of W defined above. The outer "flange" of the section shall be subject to the same limitation with W based on the R and t of the flange. Where two separate members, such as two angles, are located less than 2W apart they may be treated as a single stiffening member. (The maximum length of shell plate which may be considered effective is 4W.)

(1) The stiffener rings shall have a moment of inertia large enough to support an external pressure of 37.5 psig as determined by either of the following formulae:

$$I = \frac{0.035D^2LP_o}{E}$$

$$I' = \frac{0.046D^2LP_o}{E}$$

where:

I = required moment of inertia of stiffener about centroidal axis parallel to vessel axis—inches^4;
I' = required moment of inertia of combined section of stiffener and effective width of shell plate, about centroidal axis parallel to vessel axis—inches^4;

D=outside diameter of outer shell—inches;

L=one-half of the distance from the centerline of the stiffening ring to the next line of support on one side, plus one-half of the centerline distance to the next line of support, if any, on the other side of the stiffening ring, both measured parallel to the axis of the vessel—inches. (A line of support is: (1) a stiffening ring which meets the requirements of this paragraph, or (2) a circumferential line on a head at one-third the depth of the head from the head tangent line.);

P_c=critical collapsing pressure (37.5 psig minimum);

E=modulus of elasticity of stiffener material—psi.

(2) The cylindrical portion of the outer shell between stiffening rings shall be stiff enough to withstand an external pressure of 37.5 psig (critical collapsing pressure) as determined by the following formula:

$$P_c=\frac{2.6E(t/D)^{2.5}}{L/D-0.45(t/D)^{0.5}}$$

where:

P_c=critical collapsing pressure (37.5 psig minimum);

E=modulus of elasticity of shell material—lb/sq. inch;

t=minimum thickness of shell material—inches;

D=outside diameter of shell—inches;

L=distance between stiffening ring centers—inches. (The heads may be considered as stiffening rings located one-third of the head depth from the head tangent line.)

(3) The permissible out-of-roundness of the cylindrical portion of the outer shell shall be no greater than that permitted in Section VIII for out-of-roundness for external pressure of the ASME Boiler and Pressure Vessel Code.

(4) Where loads are applied to the outer shell or to the stiffening rings from the support system used to support the inner container within the outer shell, additional stiffener rings or an increased moment of inertia of stiffening rings designed for the external pressure will have to be provided to carry the support loads.

(f) *Welding.* All joints shall be fusion-welded in compliance with the requirements of AAR Specifications for Tank Cars, Appendix W. Welding procedures, welders and fabricators shall be approved. No more than two circumferential closing joints in the cylindrical portion of the outer shell, including head to shell joints, shall be single-welded butt joints using a backing strip on the inside of the joint. If the interior of the outer shell is divided into compartments, the compartment heads shall be attached inside the shell by fillet welding.

(g) *Stress relieving.* The cylindrical portion of the outer shell with the exception of the circumferential closing seams shall be stress relieved in accordance with the requirements of Par. W-15.01 of the AAR Specifications for Tank Cars, Appendix W. All items welded to the shell shall be attached before stress relieving. Welds securing the inner container support system to the outer shell which cannot feasibly be made before final assembly and the tank heads at each end of the shell need not be stress relieved.

(h) *Tests of outer shell.* Pressure testing of outer shell is not a specification requirement.

§ 79.400–16 Insulation.

(a) The annular space between the two shells shall contain an approved insulating system so installed as to insure against excessive settling and the creation of voids in the insulation when the car is in service. The material shall not burn or spark when touched with a glowing platinum wire in an atmosphere of air or lading. The insulation shall be such that the total heat transfer from the atmosphere at ambient temperature to the hydrogen at atmospheric pressure will not vaporize more than 5.2 pounds of liquefied hydrogen per hour (1000 scfh at 60 F) when the car is stationary.

(b) *Annular space.* The distance between the outside wall of the inner container and the inside wall of the outside shell shall be not less than two inches.

§ 79.400–17 Piping, vacuum line, vapor phase line, loading and unloading lines.

(a) *Vacuum lines.* The outer shell shall be provided with fittings to permit effective evacuation of the annular space between the outer shell and inner container.

(b) *Product lines.* The piping systems for vapor and liquid phase transfer and venting shall be made from materials compatible with the product and having satisfactory properties at minus 423° F. All valves, gages, and closures shall be mounted within suitable protective housings. The outlets of all vapor phase and liquid phase lines shall be so located that accidental discharge from these lines will not impinge on any metal of the outer shell, car structure, trucks or safety appliances.

(c) *Vapor phase line.* Vapor phase line of sufficient size to permit safety devices covered in § 79.400–18(c) (1) and (2) connected to this line to operate at their designed capacity without excessive pressure buildup in the tank shall connect to the inner container. The vapor phase line shall have a manually operated shut-off valve located as close as possible to the outer shell and shall have a closure that is liquid and gas tight.

(d) *Vapor phase blow-down line.* A blow-down line shall be provided and it may be attached to the vapor phase line specified in § 79.400–17(c) and ahead of the shut-off valve in that line. It shall have a manually operated shut-off valve located as close as possible to the outer shell. The outlet from this line shall be outside its housing and positioned so that the discharge will be directed upward and away from operating personnel.

(e) *Pressure building system.* Not a specification requirement. If a pressure building system is provided for the purpose of pressurizing the vapor space of the inner container to facilitate unloading the liquid lading, the system shall be of approved design.

(f) *Loading and unloading line.* A liquid phase transfer line shall be provided and shall have a manually operated, vacuum jacketed, shut-off valve located as close as possible to the outer shell. The section of line between the outer shell and the valve shall be vacuum jacketed. A vapor trap shall be incorporated in the line and shall be located as close as possible to the inner shell.

§ 79.400–18 Safety relief devices.

(a) The tank shall be provided with safety relief devices for the protection of the tank assembly and piping systems. The discharge from these devices shall be directed away from operating personnel, principal load bearing members of the outer shell, car structure, trucks and safety appliances. Vent or weep holes in safety devices are prohibited. All main safety relief devices shall discharge to the outside of protective housings in which they are mounted. This provision does not apply to small safety relief valves installed to protect isolated short sections of lines between the final valve and end closure.

(b) *Materials.* Materials used in safety relief devices shall be suitable for use at minus 423 F and otherwise compatible with hydrogen in the liquid or vapor phase.

(c) *Inner container.* Safety relief devices for the inner container shall be attached to piping connected to the vapor phase of the inner container and mounted so as to remain in ambient temperature prior to operation. Additional requirements are as follows:

(1) *Safety vent.* The inner container shall be equipped with a safety vent without an intervening shut-off valve and designed to function at a pressure less than the test pressure of the inner container. The safety vent capacity shall be sufficient to limit the pressure within the inner container to not over the test pressure during all conditions of operation, both normal and abnormal, including fire with loss of vacuum, when the insulation space is filled with gaseous hydrogen at atmospheric pressure. The discharge shall be directed upward.

(2) *Safety relief valve.* The inner container shall be equipped with a safety relief valve without an intervening shut-off valve and set to start to discharge at a pressure not greater than 75 percent of the test pressure prescribed in § 79.401, less 15 psi. Safety relief valve capacity shall be sufficient to limit the pressure within the inner container to 85 percent of the test pressure, less 15 psi, even when the insulation space is filled with gaseous hydrogen at atmospheric pressure (no vacuum) and the outer shell is at 130 F. The minimum size relief valve body shall be ¾ inch IPS. The discharge shall be directed upward. See AAR Specifications for Tank Cars, Appendix A, for formula for calculating discharge capacity.

(3) *Pressure control device.* The inner container shall be equipped with an approved device to prevent the discharge of a mixture exceeding 50 percent of the lower flammable limit to the atmosphere under normal conditions of storage and transport of lading. This device shall be set to start to discharge at a pressure not greater than 17 psig and shall have sufficient capacity to limit the pressure within the inner container to 17 psig when the discharge is equal to twice the normal venting rate during transportation with normal vacuum and the outer shell at 130 F.

(4) *Safety interlock.* Not a specification requirement. If a safety interlock is provided for the purpose of allowing transfer of the lading at a pressure higher than the pressure control device setting but less than the safety relief valve setting, the design shall be as follows:

(i) The safety interlock shall not affect the discharge path of the safety relief valve or safety vent at any time. The safety interlock shall automatically provide an unrestricted discharge path for the pressure control device at all times except when the inner container is being pressurized through the vapor vent line shut-off valve for the transfer of lading. The safety interlock shall automatically prevent operation of the pressure control device only when the inner container is being pressurized through the vapor vent line shut-off valve for transfer of lading. Automatic operation shall be assured by a mechanical interlock of approved design between the vapor vent line shut-off valve and a pressure control device shut-off valve.

(d) *Outer shell.* The outer shell shall be provided with a suitable relief device to prevent build up of internal pressure in excess of 16 psig. The discharge capacity of the relieving device shall be sufficient to vent pressure accumulating within the annular space. Safety vent, if used, shall be designed to prevent distortion of the frangible disc when the annular space is evacuated.

(e) *Piping system.* Additional safety relief valves shall be installed in each piping circuit where the system can be isolated by closing the shut-off valves so that a dangerous pressure can be built up. These safety relief valves shall be designed to open at a pressure sufficiently low to prevent damage to the component or system affected.

§ 79.400–19 Tests of safety relief valves.

(a) Each valve shall be tested by air or gas for compliance with § 79.401 before being put into service.

§ 79.400–20 Control valves and gages.

(a) *Control valves.* (1) Manually-operated shut-off valves and control valves shall be provided wherever needed for control of the vapor phase pressure, vapor phase venting, liquid transfer and liquid flow rates.

(2) Control valves and shut-off valves shall be designed and constructed to provide positive shut-off, and to provide minimum resistance to flow when open. These valves shall be so constructed that the packing glands and control handles are separated from the valve bodies by a sufficient length of low conductivity material to reduce to minimum the collection of frost on the control handles when low temperature gas or liquid is passing through or in contact with the valve parts.

(3) Control valve and shut-off valves shall be of approved design and fabricated from materials not adversely affected by extended periods of contact with the lading in the liquid or vapor phase, or moist air and water.

(4) Packing, if used in these valves, shall be satisfactory for use in contact with the lading in the liquid or vapor phase and shall be of approved materials which will effectively seal the valve stem without causing difficulty of operation.

(5) Control valves and shut-off valves shall be so installed that they can be readily operated and their control handles will be readily accessible to the operator. These valves shall be so mounted that operation of the valves will not transmit excessive forces to the piping system.

(b) Instruments necessary to the effective and safe operation of the tank when transporting, transferring or storing the liquid commodities for which the car is designed shall be provided. Instruments, except portable instruments, shall be securely mounted on panels within suitable protective housings and shall include the following:

(1) *Liquid level gage.* Connections shall be provided for a liquid level gage of approved design to indicate the quantity of liquefied hydrogen within the inner container. The gage, if not portable, shall be mounted in a position where it will be readily visible to an operator during transfer operations or storage. The connection for a portable gage must be readily accessible.

(2) *Fixed dip tube.* A fixed length dip tube shall be provided with a manually operated shut-off valve located as close as possible to the outer shell and within a suitable housing. It shall be so installed as to indicate the maximum liquid level for the allowable filling density at 1 psig.

(3) *Vapor phase pressure gage.* A vapor phase pressure gage of approved design shall be provided to indicate the vapor pressure within the inner container. The gages shall be mounted so as to be readily visible to an operator.

(4) *Vacuum gage.* Connections shall be provided for a vacuum gage of approved design to indicate the absolute pressure in the annular space between the outer shell and the inner container. The gage, if not portable, must be mounted in a position where it will be readily visible to an operator. The connection for a portable gage must be readily accessible.

§ 79.400–21 Protective housings.

(a) The protective housings specified for all valves, gages, and closures shall be designed to protect the enclosed components from direct solar radiation, mud, sand, adverse environmental exposure, and mechanical damage. The housings shall be so designed as to provide reasonable access to the enclosed components for operation, inspection, and maintenance, and so that vapor concentration cannot build up to a dangerous level inside the housings in the event of valve leakage or pop safety valve operation. The closure shall be operable by personnel wearing heavy gloves and shall incorporate provisions for locks or seals.

§ 79.400–22 Operating instructions.

(a) *Identification.* All valves and gages shall be clearly identified with corrosion-resistant name plates. A plate of corrosion-resistant material bearing directions and precautionary instructions for the safe operation of this equipment during storage and transfer operations shall be securely mounted so as to be readily visible to an operator. This instruction plate shall be mounted in each housing containing operating equipment and controls for product handling. The instructions shall be clear, concise and adequate in the description of the operations to be performed by the operator during storage or transfer operations. These instructions shall include a diagram of the tank and its piping system, with the various gages, control valves, and safety relief devices clearly identified and located. The operating instructions for the vacuum system may be on a separate plate which is installed only in the housing containing vacuum controls and gages.

§ 79.400–23 Stamping.

(a) Each tank shall be marked certifying that the tank complies with all requirements of this specification. These marks shall be as follows:

(1) ICC–_____ (insert applicable number per § 79.401) in letters and figures at least ⅜ inch high stamped plainly and permanently into the metal near the center of the main head of the outer shell at the "B" end of the car by the tank builder or the party assembling the complete tank unit. This mark must also be stenciled on the outer shell in letters and figures at least 1½ inches high by the party assembling the complete car.

(2) Initials of the builder of the inner container, together with information as to the material used for the shell and heads of the inner container, shell thickness, head thickness and inside diameter of the inner container, shall be stamped in letters and figures at least ⅜ inch high into the metal immediately below the marks specified in § 79.400–23(a)(1).

(3) Initials of builder of the outer shell in letters and figures at least ⅜ inch high stamped plainly and permanently into the metal immediately below the marks specified in subparagraph (2) of this paragraph.

(4) Date of original test of inner container and initials of party conducting the test in letters and figures at least ⅜ inch high plainly and permanently stamped immediately below the marks specified in subparagraph (3) of this paragraph. Any marking, stenciling or stamping on the shell or heads of the inner container is prohibited. These markings must also be stenciled on the outer shell in letters and figures at least 1½ inches high.

(5) Initials of company assembling the complete car in letters and figures at least ⅜ inch high plainly and permanently stamped immediately below the marks specified in subparagraph (4) of this paragraph. These marks shall also be stenciled on the outer shell in letters and figures at least 1½ inches high.

(6) In lieu of stamping required in subparagraphs (1), (2), (3), (4), and (5) of this paragraph, the markings specified by these paragraphs may be incorporated on a data plate of corrosion-resistant metal fillet welded in place on the main head of the outer shell of the "B" end of the car.

§ 79.400–24 Stenciling.

(a) The outer shell of the tank shall be stenciled in compliance with the requirements of AAR Specifications for Tank Cars, Appendix C.

(1) Date on which the principal safety relief valves were tested, pressure at which tested, place where tested and initials of party making test shall be stenciled on the outer shell in letters and figures at least 1 inch high.

(2) The date on which the frangible disc was replaced and the initials of the party making the replacement shall be stenciled on the outer shell in letters and figures 1 inch high. The identification of the manufacturer, the type of frangible disc installed, and the rated rupture pressure is normally shown on the tab of the disc. If it is not given thereon, this information shall also be stenciled on the outer shell in letters and figures 1 inch high.

(3) Tank cars of approved design built to this specification are authorized for the transportation of "LIQUEFIED HYDROGEN ONLY" and shall be stenciled in letters at least 2 inches high on the outer shell immediately above the marks specified in paragraph 79.400–23(a)(1).

§ 79.400–25 Reports.

(a) Certificate of Construction, see § 79.5.

§ 79.401 Individual specification requirements for liquefied hydrogen tank car tanks.

(a) In addition to § 79.400 the individual specification requirements are as follows:

ICC specification	113A60–W	113A175–W
Material (see § 79.400–6)	Stainless steel.	Stainless steel.
Bursting pressure, psi (see § 79.400–4)	240	440
Minimum thickness, inches, shell, and head	3/16	5/16
Test pressure, psi (see § 79.400–11)	60	175
Safety relief devices:		
Safety vent, maximum bursting pressure, psi	60	175
Tolerance, psi	+0, −10	+0, −22
Safety relief valve:		
Start-to-discharge	30	115
Start-to-discharge tolerance	±2.0	±4.0
Vapor-tight, minimum	24	95
Pressure control device:		
Start-to-vent, psi maximum	17	17
Outer shell safety vent, psi maximum	16	16

§ 79.500 Specification ICC–107A * * *, seamless steel tank car tanks.

§ 79.500–1 Tanks built under these specifications shall meet the requirements of § 79.500.

§ 79.500–2 Approval.

(a) For procedure for securing approval, see § 79.3.

§ 79.500–3 Type and general requirements.

(a) Tanks built under this specification shall be hollow forged or drawn in one piece. Forged tanks must be machined inside and outside before ends are necked-down and, after necking-down, the ends must be machined to size on the ends and outside diameter. Machining not necessary on inside or outside of seamless steel tubing, but required on ends after necking-down.

(b) For tanks made in foreign countries, chemical analysis of material and all tests as specified must be carried out within the limits of the United States under supervision of a competent and disinterested inspector; in addition to which, provisions in § 79.500–18 (b) and must be carried out at the point of manufacture by a recognized inspection bureau with principal office in the United States.

(c) The terms "marked end" and "marked test pressure" used throughout this specification are defined as follows:

(1) "Marked end" is that end of the tank on which marks prescribed in § 79.500–17 are stamped.

(2) "Marked test pressure" is that pressure in pounds per square inch which is indicated by the figures substituted for the * * * in the marking ICC–107A * * * stamped on the marked end of tank.

(d) The gas pressure at 130 F in the tank shall not exceed 7/10 of the marked test pressure of the tank.

§ 79.500–4 Thickness of wall.

(a) Minimum thickness of wall of each finished tank shall be such that at a pressure equal to 7/10 of the marked test pressure of the tank, the calculated fiber stress in pounds per square inch at inner wall of tank multiplied by 3.0 will not exceed the tensile strength of any specimen taken from the tank and tested as prescribed in § 79.500–7(b). Minimum wall thickness shall be ¼ inch.

(b) Calculations to determine the maximum marked test pressure permitted to be marked on the tank shall be made by the formula:

$$P=\frac{10S(D^2-d^2)}{7(D^2+d^2)}$$

where:

P = Maximum marked test pressure permitted;

$$S=\frac{U}{3.0}$$

where:

U = Tensile strength of that specimen which shows the lower tensile strength of the two specimens taken from the tank and tested as prescribed in § 79.500–7(b).

3 = Factor of safety.

$\frac{D^2-d^2}{D^2+d^2}$ = The smaller value obtained for this factor by the operations specified in § 79.500–4(c).

(c) Measure at one end, in a plane perpendicular to the longitudinal axis of the tank and at least 18 inches from that end before necking-down:

d = Maximum inside diameter (inches) for the location under consideration; to be determined by direct measurement to an accuracy of 0.05 inch.

t = Minimum thickness of wall for the location under consideration; to be determined by direct measurement to an accuracy of 0.001 inch.

Take $D=d+2t$.

Calculate the value of $\frac{D^2-d^2}{D^2+d^2}$

(1) Make similar measurements and calculation for a corresponding location at the other end of the tank.

(2) Use the smaller result obtained, from the foregoing, in making calculations prescribed in paragraph (b) of this section.

§ 79.500–5 Material.

(a) Tanks shall be made from open-hearth or electric steel of uniform quality. Material must be free from seams, cracks, laminations, or other defects injurious to finished tank. If not free from such defects, the surface may be machined or ground to eliminate these defects. Forgings and seamless tubing for bodies of tanks must be stamped with heat numbers.

(b) Steel (see Note 1) must conform to the following requirements as to chemical composition:

Designation	Class I (percent)	Class II (percent)	Class III (percent)
Carbon, maximum	0.50	0.50	0.53
Manganese, maximum	1.65	1.65	1.85
Phosphorus, maximum	.05	.05	.05
Sulphur, maximum	.06	.05	.05
Silicon, maximum	.35	.30	.37
Molybdenum, maximum	----------	.25	.30
Chromium, maximum	----------	.30	.30
Sum of manganese and carbon not over	2.10	2.10	----------

NOTE 1: Alternate steel containing other alloying elements may be used if approved.

(1) For instructions as to the obtaining and checking of chemical analysis, see § 79.500–18(b)(3).

§ 79.500–6 Heat treatment.

(a) Each necked-down tank shall be uniformly heat treated. Heat treatment shall consist of annealing or normalizing and tempering for Class I, Class II and Class III steel and oil quenching and tempering for Class III steel. Tempering temperatures shall not be less than 1000° F. Heat treatment of alternate steels must be approved. All scale must be removed from outside of tank to an extent sufficient to allow proper inspection.

(b) To check uniformity of heat treatment, Brinnel hardness tests shall be made at 18 inch intervals on the entire longitudinal axis. The hardness must not vary more than 35 points in the length of the tank. No hardness tests

need be taken within 12 inches from point of head to shell tangency.

(c) A magnetic particle inspection shall be performed after heat treatment on all tanks subjected to a quench and temper treatment to detect the presence of quenching cracks. Cracks shall be removed to sound metal by grinding and the surface exposed shall be blended smoothly into the surrounding area. A wall thickness check shall then be made of the affected area by ultrasonic equipment or other suitable means acceptable to the inspector and if the remaining wall thickness is less than the minimum recorded thickness as determined by § 79.500–4(b) it shall be used for making the calculation prescribed in (b) of this section.

§ 79.500–7 Physical tests.

(a) Physical tests shall be made on 2 test specimens 0.505 inch in diameter within 2-inch gage length, taken 180 degrees apart, 1 from each ring section cut from each end of each forged or drawn tube before necking-down, or 1 from each prolongation at each end of each necked-down tank. These test specimen ring sections or prolongations must be heat be readily opened to permit inspection and adjustment of safety relief devices and valves, and securely locked in closed position. Housing shall be provided with opening having an opening equal to twice the total discharge area of safety relief device enclosed.

(b) Elastic limit as determined by extensometer, shall not exceed 70 percent of tensile strength for Class I steel or 85 percent of tensile strength for Class II and Class III steel. Determination shall be made at cross head speed of not more than 0.125 inch per minute with an extensometer reading to 0.0002 inch. The extensometer shall be read at increments of stress not exceeding 5,000 pounds per square inch. The stress at which the strain first exceeds.

$$\frac{\text{Stress (pounds per square inch)}}{30{,}000{,}000 \text{ (pounds per square inch)}} \text{ plus } 0.005 \text{ (inches per inch)}$$

shall be recorded as the elastic limit.

(1) Elongation shall be at least 18 percent and reduction of area at least 35 percent.

NOTE 1: Upon approval, the ratio of elastic limit to ultimate strength may be raised to permit use of special alloy steels of definite composition that will give equal or better physical properties than steels herein specified.

§ 79.500–8 Openings in tanks.

(a) Each end shall be closed by a cover made of forged steel. Covers must be secured to ends of tank by through bolts or studs not entering interior of tank. Covers must be of a thickness sufficient to meet test requirements of § 79.500–12 and to compensate for the openings closed by attachments prescribed herein.

(1) It is also provided that each end may be closed by internal threading to accommodate an approved fitting. The internal threads as well as the threads on fittings for these openings shall be clean cut, even, without checks, and tapped to gage. Taper threads are required and shall be of a length not less than as specified for American Standard taper pipe threads. External threading of an approved type shall be permissible on the internal threaded ends.

(b) Joints between covers and ends and between cover and attachments shall be of approved form and made tight against vapor or liquid leakage by means of a confined gasket of suitable material.

§ 79.500–9 Tank mounting.

(a) For tank mounting, see § 79.10.

§ 79.500–10 Protective housing.

(a) Safety devices, and loading and unloading valves on tanks shall be protected from accidental injury by approved metal housing, arranged so it may be readily opened to permit inspection and adjustment of safety devices and valves, and securely locked in closed position. Housing must be provided with opening having an opening equal to twice the total discharge area of safety device enclosed.

§ 79.500–11 Loading and unloading valves.

(a) Loading and unloading valve or valves shall be mounted on the cover or threaded into the marked end of tank. These valves must be of approved type, made of metal not subject to rapid deterioration by lading or in service, and must withstand without leakage a pressure equal to the marked test pressure of tank. Provision must be made for closing service outlet of valves.

§ 79.500–12 Safety relief devices.

(a) Tank shall be equipped with one or more safety relief devices of approved type and discharge area, mounted on the cover or threaded into the non-marked end of the tank. If fittings are mounted on a cover, they shall be of the flanged type, made of metal not subject to rapid deterioration by lading or in service. Total flow capacity shall be such that, with tank filled with air at pressure equal to 70 percent of the marked test pressure of tank, flow capacity will be sufficient to reduce air pressure to 30 percent of the marked test pressure within 3 minutes after safety relief device opens.

(b) Safety safety devices shall open at pressure not exceeding the marked test pressure of tank and not less than 7/10 of marked test pressure. (For tolerance for safety relief valves, see § 79.500–16(a).)

(c) Cars used for the transportation of flammable gases shall have the safety devices equipped with an approved ignition device.

§ 79.500–13 Fixtures.

(a) Attachments, other than those mounted on tank covers or serving as threaded closures for the ends of the tank, are prohibited.

§ 79.500–14 Test of tanks.

(a) After heat-treatment, tanks shall be subjected to hydrostatic tests in a water jacket, or by other accurate method, operated so as to obtain reliable data. No tank shall have been subjected previously to internal pressure greater than 90 percent of the marked test pressure. Each tank must be tested to a pressure at least equal to the marked test pressure of the tank. Pressure must be maintained for 30 seconds, and sufficiently longer to insure complete expansion of tank. Pressure gage must permit reading to accuracy of one percent. Expansion gage must permit reading of total expansion to accuracy of one percent. Expansion must be recorded in cubic centimeters.

(b) No leaks shall appear and permanent volumetric expansion shall not exceed 10 percent of the total volumetric expansion at test pressure.

§ 79.500–15 Handling of tanks failing in tests.

(a) Tanks rejected for failure in any of the tests prescribed may be reheat-treated, and will be acceptable if subsequent to reheat-treatment they are subjected to and pass all of the tests.

§ 79.500–16 Tests of safety relief devices.

(a) Safety relief valves shall be tested by air or gas before being put into service. Valve must open at pressure not exceeding the marked test pressure of tank and must be vapor-tight at 80 percent of the marked test pressure. These limiting pressures must not be affected by any auxiliary closure or other combination.

(b) For safety safety devices of frangible disc type, samples of discs used shall burst at a pressure not exceeding the marked test pressure of tank and not less than 7/10 of marked test pressure.

§ 79.500–17 Marking.

(a) Each tank shall be plainly and permanently marked, thus certifying that tank complies with all requirements of this specification. These marks must be stamped into the metal of necked-down section of tank at marked end, in letters and figures at least ¼ inch high, as follows:

(1) Spec. ICC–107A****, the **** to be replaced by figures indicating marked test pressure of the tank. This pressure shall not exceed the calculated maximum marked test pressure permitted, as determined by the formula in § 79.500–4(b).

(2) Serial number immediately below the stamped mark specified in paragraph (a)(1) of this section.

(3) Inspector's official mark immediately below the stamped mark specified in paragraph (a)(1) of this section.

(4) Name, mark (other than trademark), or initials of company or person for whose use tank is being made, which shall be recorded with the Bureau of Explosives.

(5) Date (such as 1–62, for January 1962) of tank test, so placed that dates of subsequent tests may easily be added thereto.

(6) Date (such as 1–62, for January 1962) of latest test of safety relief valve or of frangible disc, required only when tank is used for transportation of flammable gases.

(7) Name of gas for which tank car is being used, stenciled in letters at least 2 inches high on each side of car where they are clearly visible.

§ 79.500–18 Inspection and reports.

(a) Before a tank car is placed in service, the party assembling the completed car shall furnish to car owner, Bureau of Explosives, and the Secretary, Mechanical Division, Association of American Railroads, a report in proper form certifying that tanks and their equipment comply with all the requirements of this specification and including information as to serial numbers, dates of tests, and ownership marks on tanks mounted on car structure.

(b) Purchaser of tanks shall provide for inspection by a competent inspector as follows:

(1) Inspector shall carefully inspect all material and reject that not complying with § 79.500–5.

(2) Inspector shall stamp his official mark on each forging or seamless tube accepted by him for use in making tanks, and must verify proper application of heat number to such material by occasional inspections at steel manufacturer's plant.

(3) Inspector shall obtain certified chemical analysis of each heat of material.

(4) Inspector shall make inspection of inside surface of tanks before necking-down, to insure that no seams, cracks, laminations, or other defects exist.

(5) Inspector shall fully verify compliance with specification, verify heat treatment of tank as proper; obtain samples for all tests and check chemical analyses; witness all tests; and report minimum thickness of tank wall, maximum inside diameter, and calculated value of D, for each end of each tank as prescribed in § 79.500–4(c).

(6) Inspector shall stamp his official mark on each accepted tank immediately below serial number, and make certified report (see paragraph (c) of this section) to builder, to company or person for whose use tanks are being made, to builder of car structure on which tanks are to be mounted, to the Bureau of Explosives, and to the Secretary, Mechanical Division, Association of American Railroads.

(c) Inspector's report required herein shall be in the following form:

(Place) _____
(Date) _____

STEEL TANKS

It is hereby certified that drawings were submitted for these tanks under AAR Application for Approval _____ and approved by the AAR Committee on Tank Cars under date of _____.
Built for _____ Company
Location at _____
Built by _____ Company
Location at _____
Consigned to _____ Company
Location at _____
Quantity _____
Length (inches) _____
Outside diameter (inches) _____
Marks stamped into tank as required in § 79.500–17 are:

ICC–107A****

NOTE 1: The marked test pressure substituted for the **** on each tank is shown on Record of General Data on Tanks attached hereto.

Serial numbers _____ to _____ inclusive
Inspector's mark _____
Owner's mark _____
Test date _____
Water capacity (see Record of Hydrostatic Tests).
Tare weights (yes or no) (see Record of Hydrostatic Tests).
These tanks were made by process of _____

Steel used was identified as indicated by the attached list showing the serial number of each tank, followed by the heat number.

Steel used was verified as to chemical analysis and record thereof is attached hereto. Heat numbers were stamped into metal.

All material was inspected and each tank was inspected both before and after closing in ends; all material accepted was found free from seams, cracks, laminations, and other defects which might prove injurious to strength of tank. Processes of manufacture and heat-treatment of tanks were witnessed and found to be efficient and satisfactory.

Before necking-down ends, each tank was measured at each location prescribed in § 79.500–4(c) and minimum wall thickness in inches at each location was recorded; maximum inside diameter in inches at each location was recorded; value of D in inches at each location was calculated and recorded; maximum fiber stress in wall at location showing larger value for

$$\frac{D^2+d^2}{D^2-d^2}$$

was calculated for 7/10 the marked test pressure and recorded. Calculations were made by the formula:

$$S=0.7P\frac{(D^2+d^2)}{(D^2-d^2)}.$$

Hydrostatic tests, tensile tests of material, and other tests as prescribed in this specification, were made in the presence of the inspector, and all material and tanks accepted were found to be in compliance with the requirements of this specification. Records thereof are attached hereto.

I hereby certify that all of these tanks proved satisfactory in every way and comply with the requirements of Interstate Commerce Commission Specification No. 107A****.

(Signed) _____
(Inspector)
_____
(Place)
_____
(Date)

RECORD OF CHEMICAL ANALYSIS OF STEEL FOR TANKS

Numbered _____ to _____ inclusive
Size _____ inches outside diameter by _____ inches long
Built by _____ Company
For _____ Company

Heat No.	Tanks represented (serial Nos.)	Chemical analysis							
		C	Mn	P	S	Si	Ni	Cr	Mo

These analyses were made by
(Signed) _____
(Place)
_____
(Date)

RECORD OF TENSILE TESTS OF MATERIAL IN TANKS

Numbered _____ to _____ inclusive
Size _____ inches outside by _____ inches long
Built by _____ Company
For _____ Company

Heat No.	Tanks represented by test (serial Nos.)	Elastic limit (pounds per square inch)	Tensile strength (pounds per square inch)	Elongation (percent in 2 inches)	Reduction of area (percent)

(Signed) _____
_____
(Place)
_____
(Date)

RECORD OF HYDROSTATIC TESTS ON TANKS

Numbered _____ to _____ inclusive
Size _____ inches outside by _____ inches long
Built by _____ Company
For _____ Company

Serial Nos. of tanks	Actual test pressure (pounds per square inch)	Total expansion (cubic centimeters)[1]	Permanent expansion cubic centimeters)[1]	Percent ratio of permanent expansion to total expansion[1]	Tare weight (pounds)[2]	Capacity in pounds of water at 60 F

[1] If tests are made by method involving measurement of amount of liquid forced into tank by test pressure, then the basic data on which calculations are made, such as pump factors, temperature of liquid, coefficient of compressibility of liquid, etc., must also be given.
[2] Do not include protective housing, but state whether with or without valves.

(Signed) _____
_____
(Place)
_____
(Date)

RECORD OF GENERAL DATA ON TANKS

Numbered _____ to _____ inclusive
Built by _____ Company
For _____ Company

Serial No. of tank	Data obtained as prescribed in §79.500–4(c)								Larger value of the factor $\frac{D^2+d^2}{D^2-d^2}$	(S) Calculated fiber stress in pounds per square inch at 7/10 marked test pressure	Marked test pressure in pounds per square inch stamped in tank	Minimum tensile strength of material in pounds per square inch recorded
	Marked end of tank				Other end of tank							
	(c) Minimum thickness of wall in inches	(d) Maximum inside diameter in inches	(D) Calculated value of $\frac{D}{}$ in inches = d+2t		(c) Minimum thickness of wall in inches	(d) Maximum inside diameter in inches	(D) Calculated value of $\frac{D}{}$ in inches = d+2t					

(Signed) _____

[F.R. Doc. 64–10051; Filed, Oct. 9, 1964; 8:45 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter II—Employment and Compensation in the Canal Zone

PART 1204—COMPENSATION AND ALLOWANCES

Tropical Differential

Effective the first day of the first pay period commencing on or after date of publication in the FEDERAL REGISTER, § 1204.12 is amended to read as follows:

§ 1204.12 Tropical differential.

(a) An overseas, tropical differential for U.S. citizen employees who qualify under the provisions of paragraph (b) of this section shall be fixed by the head of each department in an amount equal to 15 percent of the aggregate compensation established under §§ 1204.10 and 1204.11. Such differential will be reviewed periodically by the Secretary of the Army and adjusted to the extent necessary to furnish a suitable incentive in recruitment of qualified personnel and to provide pay benefits substantially equal to those accorded U.S. citizens employed by the Federal Government in comparable foreign areas.

(b) The tropical differential shall be paid to employees who are U.S. citizens except those in the following categories:

(1) A married woman whose husband resides in the Canal Zone or the Republic of Panama. This exclusion shall not apply to such a married woman if she establishes to the satisfaction of her department that:

(i) Her husband is physically or mentally incapable of self-support.

(ii) She is legally separated; or

(iii) Her husband is 51 percent dependent upon her for his support.

(2) A child or stepchild of a resident of the Canal Zone or the Republic of Panama who is under 21 years of age and unmarried or who, regardless of age or marital status, does not maintain a separate household.

(c) Notwithstanding the provisions of paragraphs (a) or (b) of this section, each U.S. citizen employee in service on the effective date of this revised section, shall retain as a fixed tropical differential an amount equal to 25 percent of the aggregate compensation established under §§ 1204.10 and 1204.11 for the grade and pay step to which he was assigned on July 20, 1964, or if employed after that date, for the grade and pay step to which he would have been assigned had he been employed on July 20, 1964. Calculation of the fixed differential shall be made without reference to any retroactive pay increases authorized subsequent to July 20, 1964. In the event the employee's aggregate compensation is reduced after July 20, 1964, by reason of demotion or otherwise, his fixed differential shall be adjusted upon the effective date of this revised section, or when such demotion occurs, whichever is later, to the rate which he would have retained had he been assigned the lower grade or pay step on July 20, 1964. The retained rate of tropical differential shall continue to be paid only until one of the following events occurs:

(1) There is a break in service of one day or more;

(2) A two-year period has elapsed since the effective date of this revised section, and the employee is at that time, or thereafter becomes, ineligible to receive the differential under the conditions prescribed by paragraph (b) of this section; or

(3) The employee becomes eligible for the same or a greater amount of differential under paragraphs (a) and (b) of this section.

(d) An employee may be paid tropical differential under this section only to the extent that such payment, when combined with his aggregate compensation established under §§ 1204.10 and 1204.11, does not exceed the rate of $24,445 a year.

(2 C.Z.C. § 155, 76A Stat. 19; E.O. 11171, 29 F.R. 11897)

STEPHEN AILES,
Secretary of the Army.

[F.R. Doc. 64-10346; Filed, Oct. 9, 1964; 8:47 a.m.]

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

[Lemon Reg. 132]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.432 Lemon Regulation 132.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910; 27 F.R. 8346), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on October 6, 1964.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., October 11, 1964, and ending at 12:01 a.m., P.s.t., October 18, 1964, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 93,000 cartons;

(iii) District 3: 90,495 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: October 8, 1964.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 64-10398; Filed, Oct. 9, 1964; 8:50 a.m.]

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Free, Reserve, and Surplus Percentages for 1964-65 Crop Year and List of Countries for Export Sale of Surplus Tonnage by or Through Handlers

The Raisin Administrative Committee has unanimously recommended (1) that 60 percent, 15 percent, and 25 percent, respectively, be designated as the free tonnage, reserve tonnage, and surplus tonnage percentages of standard natural (sun-dried) Thompson Seedless raisins acquired by handlers during the 1964-65 crop year, and (2) the countries to which sale in export of surplus tonnage raisins may be made by or through handlers. The Committee is established under, and its recommendations are made pursuant to, the marketing agreement, as amended, and Order No. 989,

as amended (7 CFR Part 989; 29 F.R. 9483), regulating the handling of raisins produced from grapes grown in California. This marketing agreement and order program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the "act".

The percentages recommended by the Committee for standard natural (sun-dried) Thompson Seedless raisins are based on the following: (1) A free tonnage target of 132,000 tons[1] of such raisins for the 1964–65 crop year, as unanimously adopted by the Committee on August 31, 1964, and which is the same free tonnage objective sought when volume percentages were designated for the 1963–64 crop year; (2) a 1964 production of such raisins of 216,000 tons estimated by the Bureau of Agricultural Statistics of the California State Department of Agriculture on October 5, 1964; (3) 2,500 tons of standard raisins estimated that will be acquired by handlers in the 1964–65 crop year from raisins carried over from the 1963 production; (4) total of items (1) and (2), 218,500 tons; (5) a free tonnage percentage of 60 percent obtained by dividing item (1) by item (4), and multiplying the quotient of such division by 100 and rounding the result of 60.41 to the nearest even whole number; (6) a reserve tonnage percentage of 15 percent which is deemed sufficient to satisfy any deficiency in the free tonnage resulting from underestimation of trade demand or handler carryout needs, or from overestimation of the production; and (7) a surplus tonnage percentage of 25 percent, the residual obtained by subtracting the total of the free and reserve percentages from 100 percent.

The total supply of other varietal types of raisins is expected to approximate 21,000 tons. The Committee did not deem the supply of such raisins to be in excess of the quantity that can be marketed in all outlets at reasonable prices in 1964–65 and the quantity needed for desirable carryout. Volume regulation for these varietal types was deemed unnecessary and, therefore, none was recommended.

The 1964–65 list of countries to which sale in export of surplus tonnage raisins may be made by or through handlers, as recommended by the Committee, is the same as the list for the 1963–64 crop year.

Based upon the recommendation of the Raisin Administrative Committee, supported by the factors set forth in the 1964–65 marketing policy of the Committee and other available information including the estimates adopted by the Committee, it is hereby found that to designate for natural (sun-dried Thompson Seedless raisins the free tonnage percentage, reserve tonnage percentage, and surplus tonnage percentage for the 1964–65 crop year, and to establish, pursuant to § 989.68(c), the list of countries to which sale in export of surplus tonnage raisins may be made by or through handlers, as set forth below, will tend to effectuate the declared policy of the act.

§ 989.221 Free, reserve, and surplus tonnage percentages for the 1964–65 crop year.

The percentages of standard natural (sun-dried) Thompson Seedless raisins acquired by handlers during the crop year beginning September 1, 1964, which shall be free tonnage, reserve tonnage, and surplus tonnage, respectively, are designated as follows: Natural (sun-dried) Thompson Seedless raisins: Free tonnage percentage, 60 percent; reserve tonnage percentage, 15 percent; and surplus tonnage percentage, 25 percent.

§ 989.222 Countries to which sale in export of surplus tonnage raisins may be made by or through handlers.

The countries to which sale in export of surplus tonnage raisins acquired by handlers during the crop year beginning September 1, 1964, may be made by or through handlers shall be all of those countries, other than Australia, outside of the Western Hemisphere. For purposes of this section, "Western Hemisphere" means the area east of the international date line and west of 30 degrees W. longitude but shall not be deemed to include any of Greenland.

It is hereby further found that it is impracticable, unnecessary, or contrary to the public interest to give preliminary notice and engage in public rule making procedure, and that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003) in that: (1) Under this regulatory program the percentages designated for a particular crop year apply to all standard raisins of the applicable varietal type acquired by handlers from the beginning of the crop year, and such acquisitions for the current crop year have begun; (2) the current crop year began on September 1, 1964, and the percentages herein designated will automatically apply to such raisins acquired on and after that date; (3) these actions are necessary to provide a firm basis for pricing raisins and making surplus tonnage raisins available to meet current export demand which may be lost by the California raisin industry if not promptly supplied; and (4) handlers are aware of the percentages recommended by the Committee and no preliminary preparation is required to utilize or comply with this regulation.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: October 7, 1964.

FLOYD F. HEDLUND,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 64–10352; Filed, Oct. 9, 1964; 8:48 a.m.]

[1] All tonnage figures herein are in terms of natural condition weight.

Title 14—AERONAUTICS AND SPACE

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER–421]

PART 295—TRANSATLANTIC SUPPLEMENTAL AIR TRANSPORTATION

Records and Record Retention

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 6th day of October 1964.

Incidental to its current review of reporting requirements, the Board has found that the monthly reports of transatlantic supplemental charters, required by § 295.5(a), furnish little information that is not otherwise available. The Board will therefore delete this requirement from Part 295.

Since this amendment relieves a restriction, the Board finds that notice and public procedure hereon are not required and the rule may become effective upon publication in the FEDERAL REGISTER.

Accordingly, the Board hereby amends § 295.5 of the Economic Regulations (14 CFR 295.5), effective October 10, 1964, as follows:

1. By amending the section title to read:

§ 295.5 Records and record retention.

2. By deleting paragraph (a), and redesignating paragraphs (b) and (c) as paragraphs (a) and (b), respectively.

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 401(d)(3) and (n), 76 Stat. 143, 144; 49 U.S.C. 1371)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 64–10355; Filed, Oct. 9, 1964; 8:48 a.m.]

SUBCHAPTER F—POLICY STATEMENTS

[Docket No. 15611]

PART 399—STATEMENTS OF GENERAL POLICY

Air Carrier Participation in Programs of Technical Assistance to Airlines of Less Developed Countries

OCTOBER 7, 1964.

The Board by publication in 29 F.R. 5787 amended Part 399 of its Policy Statements to include a statement of policy (§ 399.91) on participation by air carriers in U.S. Government financed programs of technical assistance to airlines of less developed countries. Although the statement of policy (Regulation No. PS–22) was effective on May 1, 1964, the Board said in adopting it that comments of interested persons submitted on or before May 18, 1964, would be considered by the Board and that the statement might be amended in light of such comments. Timely comments were

submitted by Continental Airlines, Inc., North Central Airlines, Inc., and Pan American World Airways, Inc. The comments raised no issues or considerations which the Board had not weighed in promulgating the policy statement and notice is hereby given that no changes will be made in § 399.91 on the basis of such comments.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 64-10856; Filed, Oct. 9, 1964; 8:48 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 8597 o.]

PART 13—PROHIBITED TRADE PRACTICES

Detra Watch Case Corp. et al.

Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition;* § 13.1900 *Source or origin:* 13.1900–30 Foreign in general.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Detra Watch Case Corp. et al., Long Island City, N.Y., Docket 8597, Sept. 24, 1964]

In the Matter of Detra Watch Case Corp., a Corporation, and Arthur D. Natanson and William Levites, Individually and as Officers of Said Corporation, and Simon Kaplan, Arthur D. Natanson and William Levites, Co-Partners, Doing Business as Conde Watch Case Company

Order requiring Long Island City, N.Y., distributors of watch cases to watch makers, assemblers of watches and wholesalers of watchmaker's supplies for resale, to cease selling watch cases made of base metal treated to simulate precious metal or stainless steel, or plated with gold or gold alloy of less than the minimum thickness approved by the Trade Practice Rules for the Watch Case Industry, without clearly disclosing on the exterior the true metal composition; and to cease selling imported watch cases—such as those from Hong Kong—without conspicuous disclosure of the country or place of foreign origin.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents, Detra Watch Case Corp., a corporation, and its officers and Arthur D. Natanson and William Levites, individually and as officers of said corporation and Simon Kaplan, Arthur D. Natanson and William Levites, co-partners trading as Conde Watch Case Company, or under any other name or names, and respondents' agents, respresentatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of watch cases, or any other merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Offering for sale or selling watch cases

(a) Which are in whole or in part composed of base metal that has been treated to simulate precious metal or stainless steel, or

(b) Which are in whole or in part composed of base metal which has been plated with gold or an alloy of gold of not less than 10 karat fineness and of thickness of less than 1½/1000 of an inch throughout after completion of all finishing operations,

without clearly and conspicuously disclosing on the exterior of such cases or parts the true metal composition in a form consistent with the Trade Practice Rules for the Watch Case Industry (set forth in the Code of Federal Regulations, Title 16, Chapter 1, Part 174).

2. Offering for sale or selling watch cases which are in whole or in part of foreign origin without affirmatively disclosing the country or place of foreign origin thereof on the exterior thereof on an exposed surface or on a label or tag affixed thereto of such degree of permanency as to remain thereon until consummation of consumer sale of the completed watches and of such conspicuousness as likely to be observed and read by purchasers and prospective purchasers of the completed watches.

3. Supplying to, or placing in the hands of any dealer or other purchaser, means or instrumentalities by or through which he may deceive and mislead the purchasing public in respect to practices prohibited in paragraphs 1 and 2 above.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: September 24, 1964.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 64-10330; Filed, Oct. 9, 1964; 8:45 a.m.]

[Docket No. C-229]

PART 13—PROHIBITED TRADE PRACTICES

George Frost Co. and Kenneth Chase

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition.* Subpart—Using misleading name—Goods: § 13.2280 *Composition.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, George Frost Company et al., Shirley, Mass., Docket C-229, Sept. 16, 1964]

In the Matter of George Frost Company, a Corporation, and Kenneth Chase, Individually and as an Officer of Said Corporation

Order modifying—in effect, reinstating—consent order dated September 11, 1962—the compliance provision of which was later made inoperative until the Commission instituted action to correct certain alleged industry-wide practices—requiring sellers in Shirley, Mass., to cease using such expressions as "genuine cowhide" and "Solid Finished Cowhide Belts" for products made of split leather, and to cease selling such products without conspicuously disclosing that they were made of split leather, it having been determined that September 11, 1962, order was consistent with a Trade Regulation Rule relating to deception as to leather content of waist belts.

It is ordered, That the order to cease and desist contained in the decision of the Commission issued September 11, 1962, shall become effective with the issuance of this order (27 F.R. 9912), and that further order requiring report of compliance be as follows:

It is further ordered, That respondents herein shall on or before January 1, 1965, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the provisions of the order issued September 11, 1962.

Issued: September 16, 1964.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 64-10331; Filed, Oct. 9, 1964; 8:46 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

OXYSTEARIN

The Commissioner of Food and Drugs, having evaluated data in a petition (FAP 1354) filed by the Procter and Gamble Company, 6000 Center Hill Road, Cincinnati 24, Ohio, and other relevant material, has concluded that the food additive regulations (21 CFR 121.1016) should be amended to prescribe for the safe use of oxystearin as a crystallization inhibitor in vegetable oils, and as a release agent in vegetable oils and vegetable shortenings. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90; 29 F.R. 471), § 121.1016 is amended by changing the introduction to the section, paragraph (b), and paragraph (c)(2) to read as follows:

§ 121.1016 Oxystearin.

The food additive oxystearin may be safely used in foods, when such use is not precluded by standards of identity, in accordance with the following conditions.

(a) * * *

(b) It is used or intended for use as a crystallization inhibitor in vegetable oils and as a release agent in vegetable oils and vegetable shortenings, whereby the additive does not exceed 0.125 percent of the combined weight of the oil or shortening.

(c) * * *

(2) Adequate directions to provide an oil or shortening that complies with the limitations prescribed in paragraph (b) of this section.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: October 2, 1964.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 64-10342; Filed, Oct. 9, 1964; 8:46 a.m.]

PART 121—FOOD ADDITIVES

Subpart G—Radiation and Radiation Sources Intended for Use in the Production, Processing, and Handling of Food

GAMMA RADIATION FOR TREATMENT OF FOOD

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 5M1509) filed by the United States Atomic Energy Commission, Washington, D.C., 20545, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of cesium 137 as a source of gamma radiation in or on wheat, wheat products, and white potatoes. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90; 29 F.R. 471), § 121.3003(a) (21 CFR 121.3003(a); 29 F.R. 9329) is amended to read:

§ 121.3003 Gamma radiation for the treatment of wheat and potatoes.

* * * * * * *

(a) The radiation source consists of sealed units containing the isotope cobalt 60 or cesium 137.

* * * * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: October 2, 1964.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 64-10343; Filed, Oct. 9, 1964; 8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER C—THE NATIONAL WILDLIFE REFUGE SYSTEM

PART 32—HUNTING

Lower Souris National Wildlife Refuge, North Dakota

On page 12317 of the FEDERAL REGISTER of August 27, 1964, there was published a notice of a proposed amendment to § 32.21 of title 50, Code of Federal Regulations. The purpose of this amendment is to provide for public hunting of upland game on the Lower Souris National Wildlife Refuge, North Dakota, as legislatively permitted.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with regard to the proposal. No comments, suggestions, and objections have been received, and the amendment is adopted without change.

Since this amendment benefits the public by relieving existing restrictions on hunting, it shall become effective upon publication in the FEDERAL REGISTER.

1. Section 32.21 is amended by the addition of the following area as one where hunting of upland game is authorized:

§ 32.21 List of open areas; upland game.

* * * * * * *

NORTH DAKOTA

Lower Souris National Wildlife Refuge.

* * * * * * *

(Sec. 10, 48 Stat. 1224; 16 U.S.C. 715 and sec. 4, 48 Stat. 451, as amended, 16 U.S.C. 718d)

STEWART L. UDALL,
Secretary of the Interior.

OCTOBER 6, 1964.

[F.R. Doc. 64-10334; Filed, Oct. 9, 1964; 8:46 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order No. 324-64]

PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION

Clarifying the departmental procedures relating to the production or disclosure of information or material in response to subpoena, order, or other demand:

By virtue of the authority vested in me by the laws of the United States, including section 161 of the Revised Statutes (5 U.S.C. 22) and Section 2 of Reorganization Plan No. 2 of 1950 (64 Stat. 1261), Part 16 of Title 28 of the Code of Federal Regulations is hereby amended to read as follows:

Sec.

16.1 Production or disclosure of official information or material in response to a subpoena, order, or other demand prohibited unless approved by the Attorney General.

16.2 Procedure in the event of a demand for production or disclosure.

16.3 Procedure in the event of an adverse ruling.

AUTHORITY: The provisions of this Part 16 issued under sec. 2 of Reorganization Plan No. 2 of 1950, 64 Stat. 1261; R.S. 161, 5 U.S.C. 22.

§ 16.1 Production or disclosure of official information or material in response to a subpoena, order, or other demand prohibited unless approved by the Attorney General.

No officer or employee of the Department of Justice shall produce or disclose, in response to a subpoena, order, or other demand (hereinafter in this part referred to as a "demand") of a court or other authority any information or material contained in the files of the Department of Justice or any other information or material acquired as a part of the performance of his official duties or because of his official status, without the prior approval of the Attorney General. For

the purposes of this part, the term "officer or employee of the Department of Justice" includes all officers and employees of the United States appointed by, or subject to the supervision, jurisdiction, or control of, the Attorney General of the United States, including United States Attorneys, United States Marshals, and members of the staffs of those officials.

§ 16.2 Procedure in the event of a demand for production or disclosure.

(a) (1) Except as provided in paragraph (b) of this section, whenever a demand is made upon an officer or employee of the Department of Justice for the production or disclosure of information or material contained in the files of the Department of Justice or for the production or disclosure of any other information or material acquired as a part of the performance of his official duties or because of his official status, he shall immediately notify the Attorney General of such demand. If possible, the Attorney General shall be notified before the officer or employee concerned replies to, or appears before, the court or other authority.

(2) The appropriate United States Attorney, or such other attorney as may be designated for the purpose, shall appear with the officer or employee upon whom the demand shall have been made, and inform the court or other authority (i) that § 16.1 of this part prohibits the officer or employee from producing or disclosing the information or material demanded without the prior approval of the Attorney General, and (ii) that the demand has been, or is being, as the case may be, referred for the prompt consideration of the Attorney General. The United States Attorney, or the attorney designated, shall provide the court or other authority with a copy of the regulations prescribed in this Part and shall respectfully request the court or other authority to stay the demand pending the receipt of instructions or directions from the Attorney General concerning the demand.

(b) Whenever a demand of the type described in paragraph (a) of this section is made upon an officer or employee of the Department of Justice by a court or other authority while he is appearing before, or is otherwise in the presence of the court or other authority, the officer or employee, or the United States Attorney or other appropriate Government attorney, acting on behalf of the officer or employee, shall (1) immediately inform the court or other authority that § 16.1 prohibits the officer or employee from producing or disclosing the information or material demanded without the prior approval of the Attorney General, and (2) offer to refer the demand for the prompt consideration of the Attorney General. Unless the court or other authority withdraws the demand, the United States Attorney, or other appropriate Government attorney, shall provide the court or other authority with a copy of the regulations prescribed by this part and shall respectfully request the court or other authority to stay the demand pending the receipt of instructions or directions from the Attorney General concerning the demand.

§ 16.3 Procedure in the event of an adverse ruling.

If the court or other authority declines to stay the effect of the demand in response to a request made in accordance with either § 16.2(a)(2) or (b) pending the receipt of instructions or directions from the Attorney General, or if the court or other authority rules adversely on any claim of privileges that may be asserted in conformity with the provisions of this part or with instructions or directions issued by the Attorney General pursuant thereto, the officer or employee upon whom the demand shall have been made shall, pursuant to the regulations prescribed in this part, respectfully decline to produce or disclose the material or information demanded (United States ex rel. Touhy v. Ragen, 340 U.S. 426).

Order No. 260–62 is hereby superseded.

The provisions of this order shall be effective when this order is filed for publication in the FEDERAL REGISTER.

Dated: October 8, 1964.

NICHOLAS DEB. KATZENBACH,
Acting Attorney General.

[F.R. Doc. 64–10403; Filed, Oct. 9, 1964; 9:09 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 17—MAIL ADDRESSED TO MILITARY POST OFFICES OVERSEAS

PART 46—RURAL SERVICE

Miscellaneous Amendments

In § 17.2 *Conditions applicable to mail addressed to certain military post offices overseas* (29 F.R. 7765), make the following changes:

1. Delete military post office numbers 22, 129, 167, 216, 243, 379, and 661 and the data related thereto.

2. Amend the data opposite post office number 124 to read: A–B*–C–I[1]–J.

3. Amend the data opposite post office numbers 199 and 202 to read: A–B*–C–I[1]–J.

4. Amend the data opposite post office number 205 to read: A–B–F–I[1,2].

5. Amend the data opposite post office number N240 to read: A–C–I[1].

6. Insert in numerical sequence post office number 302, with accompanying data A–B.

7. Insert in numerical sequence post office number 378, with accompanying data A–B*–C.

8. Amend the data opposite post office number N510 to read: A–C–I[1].

9. Amend the data opposite post office number N531 to read: B–H.

10. Amend the data opposite post office number N555 to read: A–C–I[1].

11. Amend the data opposite post office number 616 to read: A–B–I[1,2].

12. Amend the data opposite post office number 665 to read: A–B–F–I.

13. Amend the data opposite post office number 671 to read: A–I[1,2].

14. Insert in numerical sequence post office number 686, with accompanying data A–B–C–E.

15. Insert in numerical sequence post office numbers 691 and 693, with accompanying data A in both cases.

16. Amend the data opposite post office number 694 to read: A–B–I[1,2].

17. Amend the data opposite post office number 697 to read: A–B–F–I[1,2].

18. Under the footnotes strike out "Registered mail may exceed dimensions indicated in footnote I", which appears between footnotes I and J, and insert in lieu thereof the following:

[1] Provisions of this footnote are not applicable to registered mail.
[2] Provisions of this footnote are not applicable to airmail nor to official Government mail marked MOM.

NOTE: The corresponding Postal Manual section is 127.2.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 505)

In § 46.5 *Rural boxes*, 29 F.R. 2911, make the following changes in the listing of manufacturers set out in paragraph (a)(4):

1. Insert in alphabetical order the following company:

American Device Manufacturing Co., 1010 West Broadway, Steeleville, Ill., 62288.

2. Delete the Southern Fabricators Corporation.

NOTE: The corresponding Postal Manual section is 156.514.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 6005, 6009)

LOUIS J. DOYLE,
General Counsel.

[F.R. Doc. 64–10333; Filed, Oct. 9, 1964; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Parts 1103, 1105]

[Docket Nos. AO-346 and AO-297-A5]

MILK IN SOUTHERN MISSISSIPPI AND MISSISSIPPI DELTA MARKETING AREAS

Supplemental Notice of Hearing on Proposed Marketing Agreement and Order and Amendment to Tentative Marketing Agreement and Order

This notice is supplemental to the notice issued on August 27, 1964 (29 F.R. 12467), of a public hearing to be held at 10:00 a.m., local time, October 12, 1964, at the Hotel Heidelberg, 131 East Capitol Street, Jackson, Miss., on a proposed marketing agreement and order to regulate the handling of milk in the southern Mississippi marketing area and proposed amendment to the tentative marketing agreement and to the order regulating the handling of milk in the Mississippi Delta marketing area. On September 21, 1964 (29 F.R. 13273), notice was given that the hearing was postponed until October 26, 1964, and the location of the hearing was changed to the King Edward Hotel, 235 West Capitol Street, Jackson, Miss.

Further notice is hereby given pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937 as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and orders (7 CFR Part 900), that evidence will be received on all the proposals contained in this supplemental notice and in the notice issued August 27, 1964.

The proposals set forth below in this supplemental notice have not received the approval of the Secretary of Agriculture.

SOUTHERN MISSISSIPPI ORDER

Proposed by Mississippi Milk Producers Association and Gulf Milk Association, Inc.:

Proposal No. 1. The portion of proposal No. 1 published in the FEDERAL REGISTER of September 1, (29 F.R. 12467) covering §§ 1103.53 and 1103.61 is reprinted herein to show correction.

§ 1103.53 Location differential to handlers.

(a) For that milk which is received from producers at a pool plant and classified as Class I milk or assigned Class I location adjustment credit pursuant to paragraph (b) of this section and for other source milk for which a location adjustment is applicable, the price specified in § 1103.51(a) shall be reduced at the following rates (where mileage determinations are applicable these distances shall be determined by the market administrator by applying the shortest hardsurfaced highway distance open to commercial truck traffic):

Location	Rate per hundredweight (cents)
(1) For milk received at a pool plant located in the following Mississippi counties: Adams, Claiborne, Clarke, Copiah, Covington, Forrest, Franklin, Hinds, Jasper, Jefferson, Jefferson Davis, Jones, Lamar, Lauderdale, Lawrence, Lincoln, Madison, Marion, Neshoba, Newton, Perry, Rankin, Scott, Simpson, Smith, Walthall, Warren and Wayne	10.0
(2) For milk received at a pool plant located outside the marketing area and in the State of Mississippi beyond the northern boundary of the marketing area but less than 30 miles north of the U.S. Highway No. 82	26.0
(3) Except as provided in subparagraph (2) of this paragraph, for milk received at a pool plant located outside the marketing area and:	
(i) More than 60 but not more than 160 miles from the Courthouse in Gulfport or Pascagoula, Mississippi, whichever is nearer	10.0
(ii) For each additional 10 miles or fraction thereof, an additional	1.5

(b) For purposes of calculating such adjustment, transfers between pool plants shall be assigned Class I disposition at the transferee plant, in excess of the sum of receipts at such plant from producers and the pounds assigned as Class I to receipts from other order plants and unregulated supply plants, such assignment to be made first to transferor plants at which no location adjustment credit is applicable and then in sequence beginning with the plant at which the least location adjustment would apply.

§ 1103.61 Plants subject to other Federal orders.

The provisions of this part shall not apply to a plant specified in paragraph (a), (b), or (c) of this section except that the operator thereof, with respect to receipts and utilization of skim milk and butterfat, shall make reports to the market administrator at such time and in such manner as the market administrator may prescribe and allow verification of such reports by the market administrator.

(a) A plant meeting the requirements of § 1103.11(a) which also meets the pooling requirements of another Federal order and from which the Secretary determines, a greater quantity of Class I milk is disposed of during the month as route dispositions in such other Federal order marketing area than was disposed of as route dispositions in this marketing area, except that if such plant was subject to all the provisions of this part in the immediately preceding month, it shall continue to be subject to all the provisions of this part until the third consecutive month in which a greater proportion of its Class I disposition is made in such other marketing area unless, notwithstanding the provisions of this paragraph, it is regulated under such other order;

(b) A plant meeting the requirements of § 1103.11(a) which also meets the pooling requirements of another Federal order on the basis of distribution in such other marketing area and from which, the Secretary determines a greater quantity of Class I milk is disposed of during the month on routes in this marketing area than is so disposed of in such other marketing area but which plant is nevertheless, fully regulated under such other Federal order; and

(c) A plant meeting the requirements of § 1103.11(b) which also meets the pooling requirements of another Federal order and from which greater qualifying shipments are made during the month to plants regulated under such other order than are made to plants regulated under this part except during the months of February through August if such plant retains automatic pooling status under this part.

MISSISSIPPI DELTA ORDER

Proposed by the Southland Corporation:

Proposal No. 2. Delete § 1105.61(a) and substitute therefor the following:

(a) A plant meeting the requirements of § 1105.10(a) which also meets the pooling requirements of another Federal order and from which the Secretary determines, a greater quantity of Class I milk is disposed of during the month as route dispositions in such other Federal order marketing area than was disposed of as route dispositions in this marketing area, except that if such plant was subject to all the provisions of this part in the immediately preceding month, it shall continue to be subject to all the provisions of this part until the third consecutive month in which a greater proportion of its Class I disposition is made in such other marketing area unless, notwithstanding the provisions of this paragraph, it is regulated under such other order;

(b) A plant meeting the requirements of § 1105.10(a) which also meets the pooling requirements of another Federal order on the basis of distribution in such other marketing area and from which, the Secretary determines a greater quantity of Class I milk is disposed of during the month on routes in this marketing area than is so disposed of in such other marketing area but which plant is, nevertheless, fully regulated under such other Federal order; and

Proposal No. 2a. Redesignate the present paragraph (b) under § 1105.61 as paragraph (c).

Proposed by Realicious Dairies, Inc.:

Proposal No. 3. Amend § 1105.15 by deletion of "During March through July" from paragraph (b), by deletion of para-

graph (c), and by deletion of paragraph (e).

Proposal No. 4. Amend the appropriate sections to allow the actual pounds of skim milk powder used to fortify Class I products and not the skim milk equivalent to be added to receipts.

Proposal No. 5. Amend § 1105.50(a) to read as follows:

§ 1105.50 Class I milk price.

(a) • • •

(1) The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b., plants in Minnesota and Wisconsin, as reported by the Department for the month, adjusted to 3.5 percent butterfat basis by a butterfat differential (rounded to the nearest one-tenth cent) computed at 0.12 times the Chicago butter price. The basic formula price shall be rounded to the nearest full cent.

(2) The Class I milk price shall be the basic formula price for the preceding month plus $1.80 during the months of March through July and $2.00 in all other months.

Proposed by Cooperative Creamery Association:

Proposal No. 6. Delete § 1105.10(a)(1) of the pool plant definition and substitute therefor the following:

(1) Disposition in the marketing area on routes is 20 percent or more of its total route disposition or a daily average of 4,300 pounds, whichever is less; and

Proposal No. 7. Add a new § 1105.12(e) to the definition of handler:

(e) A cooperative association with respect to the milk of any member producer which it causes to be delivered to a pool plant in a tank truck owned and operated by or under contract to such cooperative association for the account of such cooperative association, if the cooperative association, prior to delivery, furnishes written notice to the market administrator and to the handler to whose plant the milk is delivered that it will be the handler for such milk. The milk so delivered shall be considered to have been received by such cooperative association at a pool plant at the location of the pool plant to which it is delivered.

Proposal No. 8. Revise § 1105.14 to read as follows:

§ 1105.14 Producer.

"Producer" means any person, other than a producer-handler as defined in any order (including this part) issued pursuant to the Act, who produces milk in compliance with Grade A inspection requirements of a duly constituted health authority, which milk is received during the month at a pool plant or by a cooperative association pursuant to § 1105.12(e) or is diverted pursuant to § 1105.15.

Proposal No. 9. Amend the language in § 1105.15 preceding § 1105.15(a) by deleting the word "or" appearing immediately after the word "producers" and inserting therefor the following:

"• • • skim milk and butterfat received by a cooperative association pursuant to § 1105.12(e), and skim milk and butterfat • • •"

Proposal No. 10. Revise § 1105.30(a)(2) to read as follows:

(2) Fluid milk products received from other pool plants and from cooperative associations as handlers pursuant to § 1105.12(e);

Proposal No. 11. Revise § 1105.31(a) by inserting in the language preceding subparagraph (1) the additional reference "or (e)" immediately after the reference "§ 1105.12(c)."

Proposal No. 12. Revise § 1105.41(b)(3) to provide shrinkage allowance of one and one-half percent of milk transferred in bulk from other pool plants and from cooperative associations in their capacity as handlers pursuant to § 1105.12(e) except that where the handler is purchasing milk from a cooperative association in its capacity as a handler pursuant to § 1105.12(e) and files with the market administrator, prior to the first day of the month, notice that he is purchasing such milk on the basis of the butterfat tests of farm drawn samples and weights determined at the farm, the applicable percentage on such milk shall be 2.0 percent; plus".

Proposal No. 13. Revise the language in § 1105.44 preceding subparagraph (a)(1) thereof to cover milk received from a cooperative association as a handler pursuant to § 1105.12(e) by amending it to read as follows:

§ 1105.44 Transfers.

Skim milk and butterfat transferred or diverted during the months as a fluid milk product from a pool plant or a cooperative association in its capacity as a handler pursuant to § 1105.12(e) to:

(a) The pool plant of another handler shall be classified at the utilization indicated by both handlers otherwise as Class I, subject in either event to the following conditions:

Proposal No. 14. Amend allocation provisions of § 1105.46 to cover milk received from a cooperative association as a handler pursuant to § 1105.12(e) by providing for its allocation in the same step as other milk from pool handlers, as follows:

"Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received in fluid milk products from pool plants of other handlers and from cooperative associations which are handlers pursuant to § 1105.12(e) according to the classification assigned pursuant to § 1105.44(a); and".

Proposal No. 15. Delete § 1105.50(b) and substitute therefor the following:

(b) *Class II milk price.* The Class II milk price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Minnesota and Wisconsin, as reported by the Department for the month, adjusted to 3.5 percent butterfat basis by a butterfat differential (rounded to the nearest one-tenth cent) computed at 0.12 times the Chicago butter price, subject to the following adjustments:

(1) Round to the nearest full cent; and

(2) Add 10 cents for the months of August through February.

Proposal No. 16. Amend § 1105.52 *Location adjustment to handlers* to apply to milk received from cooperative associations pursuant to § 1105.12(e) in the same manner as to milk received from producers.

MISSISSIPPI DELTA-SOUTHERN MISSISSIPPI

Proposed by the Noxubee Milk Producers Association:

Proposal No. 17. That a single order be issued to regulate the handling of milk in the Mississippi Delta and proposed southern Mississippi marketing areas and that Order No. 105 be terminated simultaneously using the language proposed by the Mississippi Milk Producers Association for the southern Mississippi area as contained in the original notice of hearing dated August 27, 1964, with certain modifications, as proposed in proposals No. 18, 19, and 20.

Proposal No. 18. Section 1103.6 should read as follows:

"Mississippi marketing area", hereinafter called the "marketing area", means all the territory within the boundaries of the counties of Adams, Attala, Bolivar, Carroll, Choctaw, Claiborne, Clarke, Copiah, Covington, Forrest, Franklin, Grenada, Hinds, Holmes, Humphreys, Jasper, Jefferson, Jefferson Davis, Jones, Lamar, Lauderdale, Lawrence, Leake, Leflore, Lincoln, Lowndes, Madison, Marion, Montgomery, Neshoba, Newton, Noxubee, Oktibbeha, Perry, Rankin, Scott, Sharkey, Simpson, Smith, Sunflower, Tallahatchie, Walthall, Warren, Washington, Wayne, Webster (except Beat 5), Winston, and Yazoo; Beats 1 and 4 in Calhoun County; Beats 4 and 5 in Coahoma County; Beats 2, 3, 4 and 5 in Quitman County including all of the village of Crowder; and Beats 1, 4, and 5 in Yalobusha County, all in the State of Mississippi, including all territory within such boundaries occupied by Government (municipal, State or Federal) reservations, installations, institutions, or other similar establishments plus all territory within Harrison County, Mississippi occupied by the Keesler Air Force Base military installation.

Proposal No. 19. Section 1103.51(a)(1) should read as follows:

(1) Divide the total receipts of producer milk by the total volume of Class I milk (excluding interhandler transfers) under this part in each of the following periods and round to one-tenth of one percent:

Proposal No. 20. Section 1103.53(a)(2) should read as follows:

(2) For milk received at a pool plant located beyond the northern boundary of the counties listed in (1) but less than 30 miles north of the U.S. Highway No. 82	26.0

Proposed by Barber Pure Milk Company, Gulfport; B and B Dairy Products,

Brookhaven; Brookshire Dairy Products, Columbus; Bush Processors, Inc., Laurel; Denton Dairy Products, Cleveland; Gramar Dairy, Hattiesburg; Luvel Dairy, Kosciusko; Magnolia Dairy, Inc., Vicksburg; Mosby Dairy, Meadville; Realicious Dairy Products, Columbus; Singley All Star Dairy, Columbia; Walker Farms Dairy Products, Inc., Stoneville; Gulf Coast Dairymen's Association, Hattiesburg; C. O. Herchenhahn, Rte. 5, Hattiesburg; Luther Conn, RFD, Gulfport; Ed Castilow, RFD, Wiggins; Max Miller, RFD, Gulfport; Jim Buck Smith, RFD, Bay St. Louis; Jack Barnett, Starkville; Ray Turman, Horn Lake; Dudley B. Bridgetorth, Nesbit; Dan Gill, Nesbit; Roy Wooten, Independence; Hoyt Austin, Lake Comorant, Mississippi; and Jack Hardenbergh, Lamar Hall, Whitelaw Baily:

Proposal No. 21.

§ 1103.6 Southern Mississippi marketing area.

"Southern Mississippi marketing area", hereinafter called the "marketing area", means all the territory within the boundaries of the counties of Adams, Claiborne, Clarke, Copiah, Covington, Forrest, Franklin, Greene, George, Hancock, Harrison, Hinds, Jackson, Jasper, Jefferson, Jefferson Davis, Jones, Lamar, Lauderdale, Lawrence, Lincoln, Madison, Marion, Neshoba, Newton, Pearl River, Perry, Rankin, Scott, Simpson, Smith, Stone, Walthall, Warren and Wayne, all in the State of Mississippi, including all territory within such boundaries occupied by Government (municipal, State or Federal) reservations, installations, institutions, or other similar establishments.

Proposed by Barber Pure Milk Company, et al., except Jack Hardenbergh, Lamar Hall, and Whitelaw Baily:

Proposal No. 22. It is hereby proposed that any order written as a result of the pending hearing include in its terms the provisions necessary for the operation of an individual-handler pool rather than a marketwide pool.

Proposed by the Milk Marketing Orders Division, Agricultural Marketing Service:

Proposal No. 23. Make such changes as may be necessary to make the entire Mississippi Delta marketing agreement and order conform with any amendments thereto that may result from this hearing.

Copies of this supplemental notice of hearing and the Mississippi Delta order may be procured from the Market Administrator, Cleo C. Taylor, Post Office Box 9747, Northside Station, Jackson, Miss., 39206, or from the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C., 20250, or may be there inspected.

Signed at Washington, D.C., on October 7, 1964.

ROY W. LENNARTSON,
Associate Administrator.

[F.R. Doc. 64–10353; Filed, Oct. 9, 1964; 8:48 a.m.]

[7 CFR Part 1104]

[Docket No. AO–298–A6]

MILK IN RED RIVER VALLEY MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Lake Murray Lodge, Admore, Okla., beginning at 10:00 a.m., c.s.t., on October 26, 1964, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Red River Valley marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposals relative to a redefinition of the marketing area raise the issue whether the provisions of the present order would tend to effectuate the declared policy of the Act, if they are applied to the marketing area as proposed to be redefined and, if not, what modifications of the provisions of the order would be appropriate.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by the Central Oklahoma Milk Producers Association and the North Texas Producers Association.

Proposal No. 1. Amend § 1104.4 *Marketing area,* by adding to the present marketing area, all of the territory included within the following Oklahoma Counties of: Garvin, Murray, Johnston, Pontotoc, Coal, Atoka, Bryan, Pushmataha, Choctaw, McCurtain, Cotton, Jefferson, Love, and Marshall.

Proposal No. 2. Amend § 1104.50(a), by deleting the last two words "15 cents", and inserting in lieu thereof, the two words "25 cents".

Proposal No. 3. Amend § 1104.52 *Location adjustment credit to handlers* by deleting the language contained therein, and substituting in lieu thereof the following:

§ 1104.52 Location adjustment credit to handlers.

For that milk which (a) is received from producers at a pool plant located outside the State of Texas, and which is classified as Class I, the prices specified in § 1104.50 shall be reduced 15 cents per hundredweight, plus an additional amount as follows, based on the basis of the distance that such plant is from the City Hall in Wichita Falls, Texas, by the shortest hard-surfaced highway distance as determined by the market administrator:

Distance from the city hall in Wichita Falls:	*Cents per cwt*
100–115 miles	3
115.1–130 miles	6
130.1–150 miles	10
150.1–165 miles	12
165.1–180 miles	14
180.1–195 miles	16
195.1–210 miles	18
210.1–225 miles	20
225.1–240 miles	22

Plus one cent for each additional 15 miles or fraction thereof in excess of 240 miles: *Provided,* That in calculating such adjustment, transfers to a pool plant at which a location adjustment credit is not applicable or at which it is less than the transferor plant shall be assigned to Class I milk only to the extent that Class I disposition at the transferee plant exceeds 95 percent of the receipts from producers at such plant. Such assignment to transferor plants should be made first to plants at which no location adjustment credit is applicable and then in sequence to plants at which the lowest rate of such adjustment credit would apply.

Proposal No. 4. Amend § 1104.74. *Location adjustment to producers* by making a change in this section to conform to the change made in § 1104.52.

Proposal No. 5. Amend § 1104.66 *Base rules,* to provide for the free transfer of bases from one producer to another, provided that the computation of the base is not made in such a way as to increase the total amount of base milk that would be created without such change.

Proposed by the Southland Corporation:

Proposal No. 6. Amend § 1104.4 *Red River Valley marketing area* to include the counties of Archer, Baylor, Clay and Montague, all in the State of Texas.

Proposal No. 7. In § 1104.41(b) redesignate subparagraphs (5), (6), and (7) as (6), (7), and (8), respectively, delete subparagraph (4), and insert new subparagraphs (4) and (5) as follows:

(4) Disposed of in the form of fluid milk products and used for livestock feed subject to inspection (at his discretion) by the market administrator;

(5) Skim milk dumped after prior notification to and opportunity for verification by the market administrator;

Proposal No. 8. Delete § 1104.61 as written and substitute therefor the following:

§ 1104.61 Plants subject to other Federal orders.

The provisions of this part shall not apply with respect to the operation of any plant specified in paragraph (a), (b), or (c) of this section except that the operator shall, with respect to total receipts of skim milk and butterfat at such plant, make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports by the market administrator.

(a) A plant meeting the requirements of § 1104.9 which also meets the pooling requirements of another Federal order and from which, the Secretary deter-

mines, a greater quantity of Class I milk is disposed of during the month on routes in such other Federal order marketing area than was disposed of on routes in this marketing area, except that if such plant was subject to all the provisions of this part in the immediately preceding month, it shall continue to be subject to all the provisions of this part until the third consecutive month in which a greater proportion of its Class I disposition is made in such other marketing area unless, notwithstanding the provisions of this paragraph, it is regulated under such other order;

(b) A plant meeting the requirements of § 1104.9, as a distributing plant, which also meets the pooling requirements of another Federal order on the basis of distribution in such other marketing area and from which, the Secretary determines, a greater quantity of Class I milk is disposed of during the month on routes in this marketing area than is so disposed of in such other marketing area but which plant is, nevertheless, fully regulated under such other Federal order; and

(c) A plant meeting the requirements of § 1104.9, as a supply plant, which also meets the pooling requirements of another Federal order and from which greater qualifying shipments are made during the month to plants regulated under such other order than are made to plants regulated under this part, except during the months of January through August if such plant retains automatic pooling status under this part.

Proposed by the Milk Marketing Orders Division, Agricultural Marketing Service:

Proposal No. 9. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, 3747 South Harvard, Post Office Box 4568, Tulsa, Okla., 74114, or from the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C., 20250, or may be there inspected.

Signed at Washington, D.C., on October 7, 1964.

ROY W. LENNARTSON,
Associate Administrator.

[F.R. Doc. 64–10354; Filed, Oct. 9, 1964; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 146, 148u]

DACTINOMYCIN; DACTINOMYCIN FOR INJECTION

Proposal To Amend Tests and Methods of Assay and Certification of Antibiotic Drug

Based on a petition received by the Food and Drug Administration pursuant to section 507(f) of the Federal Food, Drug, and Cosmetic Act (sec. 507(f), 59 Stat. 463 as amended; 21 U.S.C. 357(f)), the Commissioner of Food and Drugs proposes to issue regulations for tests and methods of assay and certification of the subject antibiotic drug.

1. It is proposed to amend § 146.1 *Definitions and interpretation* * * * in the following respects:

a. By adding to paragraph (a) the following new subparagraph:

(29) Dactinomycin is a specific kind of actinomycin produced by the growth of *Streptomyces parvullus* or the same antibiotic produced by any other means.

b. By adding to paragraph (b) the following new subparagraph:

(31) The term "dactinomycin master standard" means a specific lot of dactinomycin designated by the Commissioner as the standard of comparison in determining the potency of the dactinomycin working standard.

c. By adding to paragraph (c) (2) the following new subdivision:

(xxxii) The term "microgram" applied to dactinomycin means the dactinomycin activity (potency) contained in 1.000 microgram of the dactinomycin master standard when dried for 3 hours at 60° C. and a pressure of 5 millimeters or less.

d. By adding to paragraph (d) the following new subparagraph:

(31) The term "dactinomycin working standard" means a specific lot of a homogenous preparation of dactinomycin.

2. It is proposed to amend Title 21 by adding thereto the following new part:

PART 148u—DACTINOMYCIN

Sec.
148u.1 Dactinomycin.
148u.2 Dactinomycin for injection.

AUTHORITY: The provisions of this Part 148u issued under sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357.

§ 148u.1 Dactinomycin.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* Dactinomycin is a bright-red crystalline compound that is so purified and dried that:

(i) Its potency is not less than 900 micrograms of dactinomycin per milligram, calculated on an anhydrous basis.

(ii) It is sterile.

(iii) It is pyrogen-free.

(iv) Its LD_{50} in mice is not less than 0.65 and not more than 1.23 milligrams of dactinomycin per kilogram of body weight.

(v) Its moisture content is not more than 15 percent.

(vi) Its absorptivity at 445 $m\mu$ is not less than 0.95 and not more than 1.03 times that of the dactinomycin working standard at the same wavelength. Its absorbance at 240 $m\mu$ is not less than 1.3 and not more than 1.5 times its absorbance at 445 $m\mu$.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3(b) of this chapter, and in addition each package shall bear on its label the statement "Protect from light and excessive heat." Its expiration date is 12 months.

(3) *Request for certification; samples.* In addition to the requirements of § 148.4 of this chapter, each such request shall contain:

(i) Results of tests and assays on the batch for potency, sterility, pyrogens, LD_{50}, moisture, absorptivity, and crystallinity.

(ii) Samples required:

(*a*) For all tests except sterility: 10 packages, each containing approximately 40 milligrams.

(*b*) For sterility testing: 20 packages, each containing approximately 40 milligrams.

(4) *Fees.* $5.00 for each container in the sample submitted in accordance with subparagraph (3)(ii)(*a*) of this paragraph; $12.00 for all containers in the sample submitted for the initial sterility test, and $24.00 for all containers in the sample submitted for any repeat sterility test, in accordance with subparagraph (3)(ii)(*b*) of this paragraph.

(b) *Tests and methods of assay.* Dactinomycin is toxic and corrosive. It must be handled with care in the laboratory. Transfer all dry powders in a suitable hood, while wearing rubber gloves. Avoid inhaling fine particles of the powder. Do not pipette by mouth. If any of the substance contacts the skin, wash copiously with soap and water. Dispose of all waste material by dilution with larger volumes of trisodium phosphate solution.

1. *Potency*—(i) *Cylinders.* Use cylinders described in § 141a.1(a) of this chapter.

(ii) *Culture media.* Use ingredients that conform to the standards of the U.S.P. or the N.F.

(a) Make nutrient agar for carrying the test organism as follows:

Peptone	6.0 gm.
Pancreas digest of casein	4.0 gm.
Yeast extract	3.0 gm.
Beef extract	1.5 gm.
$MnSO_4 \cdot H_2O$	300 mg.
Dextrose	1.0 gm.
Agar	15.0 gm.
Distilled water q.s	1,000.0 ml.

pH 6.5–6.6 after sterilization.

(b) Make nutrient agar for the seed and base layers as follows:

Beef extract	1.5 gm.
Yeast extract	3.0 gm.
Peptone	6.0 gm.
Agar	15.0 gm.
Distilled water q.s	1,000 ml.

pH 7.8–8.0 after sterilization.

In lieu of preparing the media from the individual ingredients specified in this subdivision, they may be made from a dehydrated mixture which, when reconstituted with distilled water, has the same composition as such media. Minor modifications of the individual ingredients specified in this subdivision are permissible if the resulting media possess growth-promoting properties at least equal to the media described.

(iii) *Working standard.* Dry a portion of the working standard for 3 hours at 60° C. and a pressure of 5 millimeters or less. Determine the dry weight and dissolve in sufficient methyl alcohol to

give a concentration of 10 milligrams of dactinomycin per milliliter; add sufficient 0.1*M* potassium phosphate buffer, pH 8.0, to give a stock solution containing 1,000 micrograms of dactinomycin per milliliter.

(iv) *Preparation of sample.* Dissolve a portion of the sample to be tested in sufficient methyl alcohol to give a concentration of 10 milligrams of dactinomycin per milliliter; add sufficient 0.1*M* potassium phosphate buffer, pH 8.0, to give a stock solution containing 1,000 micrograms of dactinomycin per milliliter. Further dilute the sample stock solution in 0.1*M* potassium phosphate buffer, pH 8.0, to the reference concentration of 1.0 microgram of dactinomycin per milliliter (estimated).

(v) *Preparation of test organism (spore suspension).* The test organism is *Bacillus subtilis* (ATCC 6633). Maintain the test organism on nutrient agar prepared as described in subdivision (ii) (*a*) of this subparagraph. Prepare a spore suspension by the following method: Grow the organism for 5 days at 37° C. in a Roux bottle of the nutrient agar prepared as described in subdivision (ii) (*a*) of this subparagraph. Harvest the growth with the aid of sterile distilled water and glass beads. Suspend the growth in 50 milliliters of sterile distilled water, centrifuge and decant the supernatant liquid. Suspend the sediment with sterile distilled water and heat-shock for 30 minutes at 70° C. Maintain the spore suspension at approximately 15° C. Determine by appropriate tests the quantity of spore suspension to be added to each 100 milliliters of agar for the seed layer that will give clear, sharp zones of inhibition.

(vi) *Preparation of the plates—(a) Base layer.* Add 21 milliliters of melted nutrient agar described in subdivision (ii) (*b*) of this subparagraph to each Petri dish (20 millimeters x 100 millimeters) and allow to harden on a level surface.

(*b*) *Seed layer.* Melt nutrient agar described in subdivision (ii) (*b*) of this subparagraph. Accurately measure a sufficient quantity of the melted nutrient agar, cool to 48° C. and add the appropriate quantity of the spore suspension prepared as described in subdivision (v) of this subparagraph. Swirl the inoculated nutrient agar to obtain a homogeneous suspension, and add 4 milliliters to each of the plates containing the 21 milliliters of uninoculated agar. Tilt the plates back and forth to spread the inoculated agar evenly and allow to harden on a level surface.

(vii) *Standard curve.* Using the stock solution described in subdivision (iii) of this subparagraph, prepare the standard curve in 0.1*M* potassium phosphate buffer, pH 8.0, to contain concentrations of 0.5, 0.71, 1.0, 1.41, and 2.0 micrograms of dactinomycin per milliliter. A total of 12 plates is used in the preparation of the standard curve, three plates for each solution except the 1.0 microgram per milliliter solution. The latter concentration is used as the reference point and is included on each plate. On each of three plates fill three cylinders with the 1.0 microgram per milliliter standard and the alternate three cylinders with the concentration under test. Thus, there will be 36 1-microgram determinations and 9 determinations for each of the other points on the curve. After the plates have incubated, determine the diameters of the zones of inhibition. Average the diameters of the 1.0 microgram per milliliter concentration and the diameters of the concentration tested for each set of three plates, and average also all 36 readings of the 1.0 microgram per milliliter concentration. The average of the 36 readings of the 1.0 microgram per milliliter concentration is the correction point for the curve. Correct the average value obtained for each point to the figure it would be if the 1.0 microgram per milliliter reading for the set of three plates were the same as the correction point. Thus, if in correcting the 0.5 microgram concentration, the average of the 36 diameters of the 1.0 microgram per milliliter concentration is 16.5 millimeters and the average diameter of the 1.0 microgram per milliliter concentration of this set of three plates is 16.3 millimeters, the correction is +0.2 millimeter. If the average diameter of the 0.5 microgram per milliliter concentration of these same three plates is 15.9 millimeters, the corrected value is then 16.1 millimeters. Plot these corrected values, including the average diameter of the 1.0 microgram per milliliter concentration on 2-cycle semilog paper, using the concentration in micrograms per milliliter as the ordinate (the logarithmic scale) and the diameter of the zone of inhibition as the abscissa. Draw the standard curve through these points, either by inspection or by use of the following equations:

$$L=\frac{3a+2b+c-e}{5},$$

$$H=\frac{3e+2d+c-a}{5},$$

where:

L = Calculated zone diameter for the lowest concentration of the standard curve.

H = Calculated zone diameter for the highest concentration of the standard curve.

a, b, c, d, e = Corrected average values for the 0.5, 0.71, 1.0, 1.41, and 2.0 micrograms per milliliter standard solutions, respectively.

Plot the values obtained for L and H and connect with a straight line.

(viii) *Assay.* Place six cylinders on the inoculated agar surface so that they are at approximately 60° intervals on a 2.8-centimeter radius. Use three plates for each sample. Fill three cylinders on each plate with the 1.0 microgram per milliliter standard solution and three cylinders with the 1.0 microgram per milliliter (estimated) sample solution, alternating standard and sample. Incubate the plates for 16 to 18 hours at 37° C. and measure the diameter of each zone of inhibition.

(ix) *Estimation of potency.* Average the zone diameters of the standard and average the zone diameters of the sample on the three plates used. If the sample gives a larger average zone size than the average of the standard, add the difference between them to the 1.0-microgram zone size of the standard curve. If the average sample value is lower than the standard value, subtract the difference between them from the 1.0-microgram value on the curve. From the curve, read the potencies corresponding to these corrected values of zone sizes.

(2) *Sterility.* Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e) (1) of that section, except use 40 milligrams in lieu of 300 milligrams.

(3) *Pyrogens.* Proceed as directed in § 141a.3 of this chapter, except administer as a test dose 1 milliliter per kilogram of a pyrogen-free distilled water solution containing 0.2 milligram of dactinomycin per milliliter.

(4) LD_{50}[1]—(i) *Sample solution.* Prepare a solution containing 50 micrograms of dactinomycin per milliliter by dissolving an appropriate quantity of the sample in sufficient sterile distilled water. If the sample does not dissolve immediately, place it in an ice water bath or a refrigerator for 1 to 2 hours, and then allow to reach room temperature before use.

(ii) *Procedure.* Select 70 female mice weighing between 18 and 20 grams. Individually identify and weigh them to the nearest 0.1 gram. Use 10 mice at each of the following dose levels: 9.6, 11.52, 13.9, 16.7, 20.0, 24.0, and 28.8 milliliters of sample solution per kilogram of body weight. Calculate the volume of solution to be given to each mouse and administer the appropriate volume intravenously at the rate of 0.5 milliliter per minute. Observe the mice daily for 14 days and record any signs of drug toxicity and times of death. Estimate the LD_{50} and its 95 percent confidence limits by the method of Carrol S. Weil, published in Biometrics, volume 8, pages 249–263 (1952).

(5) *Moisture.* Proceed as directed in § 141a.5(a) of this chapter.

(6) *Absorptivity—(i) Procedure.* Accurately weigh approximately 15 milligrams of the sample and 15 milligrams of the working standard. Transfer each weighing to separate 100-milliliter volumetric flasks. Dissolve the material and bring to volume with spectrophotometric-grade methyl alcohol. Mix well. Pipette 5.0 milliliters of each solution into separate 25-milliliter volumetric flasks, dilute to volume with spectrophotometric-grade methyl alcohol. Mix well. Using a suitable spectrophotometer and 1-centimeter absorption cells, determine the absorbance of the sample solution at the 240 mμ and at the 445 mμ absorption peaks (the exact position of the peaks should be determined for the particular instrument used). Determine the absorbance of the standard solution at the 445 mμ absorption peak.

[1] The term "LD_{50}" refers to the dosage of the drug that should be expected to kill 50 percent of the animals that receive the drug.

(ii) *Calculations.*

$$\text{(e) Absorptivity at 445 m}\mu = \frac{(A_2)\,(\text{milligrams of standard})\,(1-0.01\ M_W)\,(\text{potency of the standard in micrograms per milligram})}{(A_3)\,(\text{milligrams of sample})\,(1-0.01\ M_S)\,(1{,}000)}$$

(b) Ratio for the absorbances of the sample at 240 mμ and 445 mμ=

$$\frac{A_1}{A_2}.$$

Where:

A_1=absorbance at 240 mμ for the sample.
A_2=absorbance at 445 mμ for the sample.
A_3=absorbance at 445 mμ for the standard.
M_W=percent moisture in the working standard.
M_S=percent moisture in the sample.

(7) *Crystallinity.* Mount a few particles of the sample in mineral oil and examine by means of a polarizing microscope. The particles reveal the phenomena of birefringence and extinction positions on revolving the microscope stage.

§ 148u.2 Dactinomycin for injection.

(a) *Requirements for certification—*(1) *Standards of identity, strength, quality, and purity.* Dactinomycin for injection is a dry mixture of dactinomycin and mannitol. Each container contains 0.5 milligram of dactinomycin. It is sterile. It is nonpyrogenic. The LD_{50} in mice is between 0.65 and 1.23 milligrams of dactinomycin per kilogram. Its moisture content is not more than 4.0 percent. Its pH is not less than 5.5 and not more than 7.0. The crystalline dactinomycin used conforms to the standards prescribed by § 148u.1(a)(1)(i), (v), and (vi). Each other ingredient used, if its name is recognized by the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter, and in addition each package shall bear on its label or labeling, as hereinafter indicated, the following:

(i) On the outside wrapper or container the statement "Protect from light and excessive heat."

(ii) On the outside wrapper or container and the immediate container the statement "For hospitalized patients only."

Its expiration date is 12 months.

(3) *Request for certification; samples.* In addition to the requirements of § 148.4 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(*a*) The dactinomycin used in making the batch: For potency, moisture, absorptivity, and crystallinity.

(*b*) The batch: For microbiological potency, spectrophotometric potency, sterility, pyrogens, LD_{50}, moisture, and pH.

(ii) Samples required:

(*a*) The dactinomycin used in making the batch: 10 containers each containing not less than 40 milligrams.

(*b*) The batch:

(*1*) For all tests except sterility: A minimum of 20 immediate containers.

(*2*) For sterility testing: 20 immediate containers.

(*c*) In case of an initial request for certification, each other ingredient used in making the batch: One container of each consisting of not less than 5 grams.

(4) *Fees.* $4.00 for each container in the samples submitted in accordance with subparagraph (3)(ii)(*a*), (*b*), and (*c*) of this paragraph; $12.00 for all containers in the sample submitted for the initial sterility test, and $24.00 for all containers in the sample submitted for the first repeat sterility test, in accordance with subparagraph (3)(ii)(*b*)(2) of this paragraph.

(b) *Tests and methods of assay.* Dactinomycin is toxic and corrosive. It must be handled with care in the laboratory. Transfer all dry powders in a suitable hood while wearing rubber gloves. Avoid inhaling fine particles of the powder. Do not pipette by mouth. If any of the substance contacts the skin, wash copiously with soap and water. Dispose of all waste material by dilution with large volumes of trisodium phosphate solution.

(1) *Potency—*(i) *Microbiological assay.* Reconstitute the sample as directed in the labeling. Using a suitable syringe, withdraw the entire contents and dilute in 0.1*M* potassium phosphate buffer, pH 8.0, to a concentration of 1.0 microgram of dactinomycin per milliliter (estimated). Proceed as directed in § 148u.1(b)(1).

(ii) *Spectrophotometric assay—*(*a*) *Preparation of standard solution.* Accurately weigh approximately 15 milligrams of the working standard and transfer to a 100-milliliter volumetric flask. Dissolve the standard and bring to volume with spectrophotometric-grade methyl alcohol. Mix well. Pipette 5.0 milliliters into a 25-milliliter volumetric flask and dilute to volume with spectrophotometric-grade methyl alcohol.

(*b*) *Preparation of sample solution.* Prepare a sample solution by washing the contents of a container into a 25-milliliter volumetric flask and diluting to volume with spectrophotometric-grade methyl alcohol. Obtain a clear solution by decanting or filtering off any undissolved mannitol.

(*c*) *Procedure.* Determine the absorbance of the sample and standard solution at the 445 mμ absorption peak as directed in § 148u.1(b)(6)(i).

(*d*) *Calculation.*

$$\text{Milligrams of dactinomycin per container} = \frac{(A_1)\,(\text{milligrams of standard weighed})\,(\text{potency of standard in micrograms per milligram})}{(A_2)\,(20)\,(1{,}000)}$$

where:

A_1=absorbance of the sample solution at 445 mμ.
A_2=absorbance of the standard solution at 445 mμ.

Its content of dactinomycin is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of dactinomycin that it is represented to contain.

(2) *Sterility.* Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e)(1) of that section, except use the entire contents of each of the immediate containers tested.

(3) *Pyrogens.* Reconstitute as directed in the labeling, and proceed as directed in § 148u.1(b)(3).

(4) LD_{50}. Reconstitute five immediate containers as directed in the labeling, and pool the contents. Further dilute the solution with sterile distilled water to obtain a concentration of 50 micrograms of dactinomycin per milliliter, and proceed as directed in § 148u.1(b)(4).

(5) *Moisture.* Proceed as directed in § 141a.5(a) of this chapter.

(6) *pH.* Reconstitute as directed in the labeling and proceed as directed in § 141a.5(b) of this chapter.

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written comments, preferably in quintuplicate, on this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: October 2, 1964.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 64-10344; Filed, Oct. 9, 1964; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 91 [New]]

[Reg. Docket No. 6235; Notice 64-45]

ALTERNATE AIRPORTS

Notice of Proposed Rule Making

The Federal Aviation Agency is considering amendments to Part 91 [New] of the Federal Aviation Regulations which would alter flight plan and fuel requirements as they pertain to alternate airports.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before December 8, 1964, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Section 91.83 [New] of the Federal Aviation Regulations requires each person filing an IFR flight plan to include

therein an alternate airport. It also sets forth criteria for the selection of an alternate airport. The substance of these provisions has remained unchanged for many years. In the meantime, improvements and expansion of aviation equipment and services have made it possible to lower airport landing minimums and decreased the likelihood that weather conditions will prevent an IFR pilot from landing at his destination airport. As a result, the FAA has concluded that a relaxation of the requirement to include an alternate airport in an IFR flight plan may be feasible.

Under the Dispatching Rules in Part 40 of the Civil Air Regulations, scheduled interstate air carriers may omit the designation of an alternate airport when, for the period two hours before to two hours after the estimated time of arrival, the ceiling at the airport to which the flight is dispatched is forecast to be at least 1,000 feet above the minimum approach altitude and the visibility at that airport is forecast to be at least three miles. In addition, under exemptions to the Air Traffic Rules, military pilots are permitted to deviate from the rule on inclusion of an alternate in an IFR flight plan. These pilots adhere to military flight rules requiring an alternate airport unless a ceiling of at least 5,000 feet and a prevailing visibility of at least five miles are forecast for the destination airport. The air carriers and the military departments have used these minimums successfully for several years. Recently, the FAA has included in Part 135 [New] of the Federal Aviation Regulations IFR alternate airport requirements for air taxi operators and commercial operators of small aircraft that specify minimums similar to those in CAR 40.

The FAA has studied the advantages and disadvantages of the minimums used by the air carriers and the military departments and believes that minimums similar to those used by the air carriers might be more satisfactory for general application to the aviation community. The minimum ceiling under the rules for air carriers is related to the initial approach altitude for the airport involved, thus providing flexibility consistent with safety. On the other hand, a constant ceiling value is desirable for jet pilots who frequently make an initial penetration from a high altitude. Because of the unique requirements of the military establishment, therefore, and the satisfactory manner in which military alternate airport requirements have been employed, the military services would continue to operate under exemptions from the requirements on alternate airports.

A visibility requirement of three miles for the destination airport would be adequate in most situations. However, some instrument approach procedures specify landing minimums requiring visibility of three or more miles. To provide for an adequate margin in these cases, the proposed rule would require that the visibility at the destination airport be forecast to be at least three miles, or two miles more than the lowest authorized landing minimum visibility, whichever is greater.

In arriving at a span of time during which weather conditions at the destination airport would have to be forecast at or above specified minimums, the Agency reviewed the varying standards used by the military services and those applicable to the dispatching of air carrier flights, and found all of them to have their advantages and disadvantages. However, it was concluded that a period of time from two hours before to two hours after the estimated time of arrival at the destination airport would be most appropriate. This standard would allow a margin for the unforecast deterioration of weather and protect flights arriving at other than their estimated times.

The current provisions in the Flight Rules on the selection of an eligible alternate state that no person may list an alternate airport in an IFR flight plan unless current weather reports and forecasts indicate that, at the time of arrival, the ceiling and visibility at that airport will be at or above the alternate airport weather minimums prescribed for that airport in Part 97 [New]. If no minimums are so prescribed, the pilot is then guided by two sets of minimums in § 91.83(b) [New], one applicable to airports served by a radio directional facility, and the other applicable to airports not served by such a facility. Under these provisions, it would be permissible for a pilot to designate as his alternate an airport for which no standard instrument approach procedure was prescribed, but at which the applicable MEA and reported weather conditions would necessitate the execution of an instrument letdown. The rule proposed herein would eliminate this possibility as it would require that the ceiling and visibility at the alternate be forecast to be at or above the alternate airport minimums prescribed in Part 97 [New], or, if no minimums were so prescribed, at or above a level permitting descent from the IFR minimum en route altitude, approach, and landing in weather conditions identical to or better than that specified for basic VFR in controlled airspace outside the continental control area.

Section 91.23 [New] of the Federal Aviation Regulations contains the requirement that sufficient fuel be carried by civil aircraft operating in IFR conditions to fly from the first airport of intended landing to the alternate airport. Although this regulation applies to operations conducted in IFR conditions and the regulation on the inclusion of an alternate airport in an IFR flight plan applies to flights conducted under the Instrument Flight Rules, both regulations are designed to provide for the circumstance where a pilot finds it is not feasible to land at the destination airport. Therefore, the Agency feels that a relaxation of the fuel requirements in FAR 91.23 would be consistent with the relaxation of the rule in FAR 91.83. Agency regulations do not require interstate air carriers operating IFR to carry a fuel supply for an alternate airport if, under the air carrier standards discussed above, the designation of an alternate is unnecessary. In addition, under Part 135 [New], air taxi operators and commercial operators of small aircraft operating aircraft in IFR conditions will not be required to carry fuel for an alternate if, under standards similar to those applicable to the air carriers, the designation of an alternate is unnecessary. The Agency proposes, therefore, that the requirement in § 91.23 [New] for fuel to fly from the first airport of intended landing to an alternate airport not apply if the same conditions are met that permit a pilot to omit an alternate from an IFR flight plan. Pilots would be required to carry sufficient fuel to fly 45 minutes at normal cruising speed after reaching the first airport of intended landing in a case where the provision for fuel to fly to the alternate does not apply.

In consideration of the foregoing, it is proposed to amend Part 91 [New] of the Federal Aviation Regulations as hereinafter set forth.

1. Section 91.23 is amended to read as follows:

§ 91.23 Fuel requirements for flight in IFR conditions.

No person may operate a civil aircraft in IFR conditions unless it carries enough fuel (considering weather reports and forecasts, and weather conditions) to—

(a) Complete the flight to the first airport of intended landing;

(b) Fly from that airport to the alternate airport; and

(c) Fly thereafter for 45 minutes at normal cruising speed.

However, the requirement for fuel to fly from the first airport of intended landing to the alternate airport does not apply if Part 97 [New] of this subchapter prescribes a standard instrument approach procedure for the first airport of intended landing and the weather conditions at that airport are forecast to be, from two hours before to two hours after the estimated time of arrival, a ceiling of at least 1,000 feet above the minimum initial approach altitude for the airport and visibility at least three miles, or two miles more than the lowest authorized landing minimum visibility, whichever is greater.

2. Section 91.83(a)(9) is amended to read as follows:

(9) In the case of an IFR flight plan, an alternate airport, except as provided in paragraph (b) of this section.

3. Section 91.83(b) is amended to read as follows:

(b) Paragraph (a)(9) of this section does not apply if Part 97 [New] of this subchapter prescribes a standard instrument approach procedure for the first airport of intended landing and the weather conditions at that airport are forecast to be, from two hours before to two hours after the estimated time of arrival, a ceiling of at least 1,000 feet above the minimum initial approach altitude for the airport and visibility at least three miles, or two miles more than the lowest authorized landing minimum visibility, whichever is greater.

4. Section 91.83(c) is added to read as follows:

(c) IFR alternate airport weather minimums: Unless otherwise authorized by the Administrator, no person may include an alternate airport in an IFR flight plan unless current weather forecasts indicate that, at the estimated time of arrival at the alternate airport, the ceiling and visibility at that airport will be at or above the alternate airport weather minimums prescribed for the airport in Part 97 [New] of this subchapter, or, if no minimums are so prescribed, the ceiling and visibility at the airport will allow descent from the IFR minimum en route altitude, approach, and landing in weather conditions identical to or better than that prescribed in §§ 91.105 (a) (2) and (b) (2).

These amendments are proposed under the authority of sections 307 and 601 of the Federal Aviation Act, 49 U.S.C. 1348, 1421.

Issued in Washington, D.C., on October 5, 1964.

D. D. THOMAS,
Associate Administrator for Programs.

[F.R. Doc. 64-10328; Filed, Oct. 9, 1964; 8:45 a.m.]

[14 CFR Part 507]

[Reg. Docket No. 6236]

AIRWORTHINESS DIRECTIVE

Boeing Model 707 Series Aircraft

The Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive for Boeing Model 707 Series aircraft. There have been several instances of failure of the rear engine mount nut attributed to embrittlement resulting from the cadmium plated nut being subjected to temperatures which caused the cadmium to melt. To correct this condition, this AD requires inspection of the engine mount cone bolt nut for cracks or evidence of melted cadmium and replacement of the cadmium plated nut and washer with silver plated nut and washer.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before November 9, 1964, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing it is proposed to amend § 507.10(a) of Part 507 (14 CFR Part 507), by adding the following airworthiness directive:

BOEING. Applies to Model 707 Series aircraft, Serial Numbers 17592 through 17608, 17614 through 17627, 17678 through 17690, 17692 through 17695, 17918 through 17924, 17928 through 17930, 18083 through 18085, 18245, 18246, 18374, 18375 and 18460.

Compliance required as indicated.

There have been failures of a rear engine mount nut attributed to embrittlement resulting from the nut being subject to temperatures which caused the cadmium to melt. To correct this condition, accomplish the following or an equivalent approved by the Aircraft Engineering Division, FAA Western Region.

(a) On all aircraft which have cadmium plated rear engine mount cone bolt nut and washer, visually inspect the engine mount cone bolt nut for cracks or evidence of melted cadmium within 300 hours' time in service after the effective date of this AD and thereafter at periods not to exceed 300 hours' time in service.

(b) If a crack, or evidence of melted cadmium are found, replace the cadmium plated nut and washer with a silver plated nut and washer, before further flight, in accordance with the provisions of paragraph 3 of Boeing Service Bulletin No. 1874 or later FAA approved revisions, or an equivalent nut and washer approved by the Aircraft Engineering Division, FAA Western Region. If the installation of the silver plated nut and washer is made in accordance with Service Bulletin No. 1874, visually check the installation for insufficient bolt thread exposure beyond the end of the nut as defined in paragraph 1 of Boeing Service Bulletin No. 1874A. If there is insufficient thread exposure replace with new silver plated nut and washer in accordance with paragraph 2 of Service Bulletin No. 1874A.

(c) Within 1,000 hours' time in service after the effective date of this AD, replace cadmium plated nut and washer with silver plated nut and washer in accordance with the provisions of (b).

(d) Unless already accomplished, on all aircraft that have complied with Service Bulletin No. 1874 prior to the effective date of this AD, visually inspect the silver plated rear engine mount cone bolt and nut for insufficient bolt thread exposure beyond the end of the nut as defined in paragraph 1 of Boeing Service Bulletin No. 1874A within 300 hours' time in service after the effective date of this AD. If there is insufficient bolt thread exposure beyond the end of the nut, replace with new nut and washer in accordance with paragraph 2 of Service Bulletin No. 1874A before further flight.

(e) Upon request of the operator, an FAA maintenance inspector subject to prior approval of the Chief, Aircraft Engineering Division, FAA Western Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

(Boeing Service Bulletins Nos. 1874 and 1874A cover this same subject)

Issued in Washington, D.C., on October 5, 1964.

C. W. WALKER,
Acting Director, Flight Standards Service.

[F.R. Doc. 64-10329; Filed, Oct. 9, 1964; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 15201; FCC 64-905]

AIRBORNE TELEVISION ORAL PROCEEDING

Schedule

Correction

Federal Register Document 64-10203, appearing at page 13845 of the issue for Wednesday, October 7, 1964, should have been published in the Proposed Rule Making section with the headings reading as set forth above.

FEDERAL TRADE COMMISSION

[16 CFR Part 214]

HEARING AID INDUSTRY

Proposed Trade Practice Rules; Notice of Opportunity To Present Views, Suggestions or Objections

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, firms, corporations, organizations or other parties affected by or having an interest in the proposed trade practice rules for the Hearing Aid Industry (which constitute a proposed revision and extension of the rules for this Industry as promulgated by the Commission August 7, 1953), to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit.

For this purpose copies of the proposed rules may be obtained upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief or other communication, to be filed with the Commission not later than November 27, 1964. After due consideration of all matters presented, the Commission will proceed to final action on the proposed rules.

The industry is composed of persons, firms, corporations, and organizations engaged in the manufacture, distribution, or sale of instruments or devices designed for or represented as aiding, improving, or correcting defective hearing, and parts and accessories therefor.

These proceedings are directed to the elimination and prevention of such acts and practices as are deemed violative of statutes administered by the Federal Trade Commission pursuant to sections 5 and 6 of the Federal Trade Commission Act, as amended, 15 U.S.C. 45-46 and provisions of Part 1, Subpart F, of the Commission's Procedures and Rules of Practice, 28 F.R. 7083 (July 11, 1963).

The proposed rules which have been released by the Commission for written comment are concerned with false and misleading advertising of hearing aids

or devices, or of parts or accessories therefor, and related unfair practices.

Authorized: October 6, 1964.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 64-10387; Filed, Oct. 9, 1964; 8:49 a.m.]

Notices

ATOMIC ENERGY COMMISSION

[Docket No. 50-170]

ARMED FORCES RADIOBIOLOGY RESEARCH INSTITUTE

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 6, set forth below, to Facility License No. R-84. The license authorizes the Armed Forces Radiobiology Research Institute to operate its DASA-TRIGA Mark F nuclear reactor located on the National Naval Medical Center site in Bethesda, Md. The amendment authorizes operation of the reactor with a redesigned reactor control console.

The Commission has found that:

1. The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Ch. I, CFR;

2. Operation of the reactor in accordance with the license, as amended, will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security;

3. Prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazard considerations different from those previously evaluated.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's Regulation (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the licensee's application for license amendment dated March 23, 1964, and (2) a related hazards analysis prepared by the Test and Power Reactor Safety Branch of the Division of Reactor Licensing, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) above may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545. Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 2d day of October 1964.

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test and Power Reactor Safety Branch, Division of Reactor Licensing.

[License No. R-84, Amdt. 6]

AMENDMENT TO FACILITY LICENSE

License No. R-84, as amended, issued to Armed Forces Radiobiology Research Institute is hereby amended in the following respects:

1. In addition to the activities previously authorized by the Commission in License No. R-84, as amended, Armed Forces Radiobiology Research Institute is authorized to operate the Institute's DASA-TRIGA Mark F reactor with the redesigned reactor control console as described in its application for license amendment dated March 23, 1964.

This amendment is effective as of the date of issuance.

Date of issuance: October 2, 1964.

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test and Power Reactor Safety Branch, Division of Reactor Licensing.

[F.R. Doc. 64-10326; Filed, Oct. 9, 1964; 8:45 a.m.]

[Docket No. 50-135]

WALTER REED ARMY MEDICAL CENTER

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment Number 3, set forth below, to Facility License Number R-85. The license, as amended, authorizes Walter Reed Army Medical Center to operate its Atomics International Model L-54 homogeneous solution type nuclear reactor located on the Walter Reed Army Medical Center site in Washington, D.C. The amendment authorizes the use of a stack dilution factor of 1000 for Argon-41 produced as a result of operation of their 50 kilowatt homogeneous reactor, as described in the licensee's application for license amendment dated June 25, 1964, and supplement thereto dated July 8, 1964.

The Commission has found that:

(1) The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Ch. I, CFR;

(2) Operation of the reactor in accordance with the license as amended will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security;

(3) Prior public notice of proposed issuance of the amendment is not required since the amendment does not involve significant hazard considerations different from those previously evaluated.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's Regulation (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the licensee's application for license amendment dated June 25, 1964, and supplement thereto dated July 8, 1964, and (2) a related hazards analysis prepared by the Test and Power Reactor Safety Branch of the Division of Reactor Licensing, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) above may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545. Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 2d day of October 1964.

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test and Power Reactor Safety Branch, Division of Reactor Licensing.

[License No. R-85, Amdt. 3]

AMENDMENT TO FACILITY LICENSE

Facility License No. R-85, as amended, issued to Walter Reed Army Medical Center, is hereby amended in the following respects:

1. In addition to the activities previously authorized by the Commission in License No. R-85, as amended, Walter Reed Army Medical Center is authorized to use a stack dilution factor of 1000 for Argon-41 produced as a result of operation of the reactor as described in the application amendment dated June 25, 1964, and supplement thereto dated July 8, 1964.

This amendment is effective as of the date of issuance.

Date of issuance: October 2, 1964.

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test and Power Reactor Safety Branch, Division of Reactor Licensing.

[F.R. Doc. 64-10327; Filed, Oct. 9, 1964; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 14911]

LINEA AEREA PATAGONICA ARGENTINA, S.A.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference is assigned to be held on the above-entitled application on October 20, 1964, at 10:00 a.m., e.d.s.t., in Room 607, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Robert L. Park.

Dated at Washington, D.C., October 6, 1964.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 64-10357; Filed, Oct. 9, 1964; 8:48 a.m.]

[Docket No. 14120; Order E-21364]

NORTHEAST AIRLINES, INC.

Statement of Tentative Findings and Conclusions and Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 6th day of October 1964.

Application of Northeast Airlines, Inc., Docket 14120; for an amendment of its certificate of public convenience and necessity.

By application filed November 1, 1962, Northeast Airlines, Inc. (Northeast) requests an amendment deleting Newport, Rhode Island,[1] from its certificate for route 27, stating that such amendment is required by the public convenience and necessity.

The Newport Airport, located approximately 15 airline miles from Newport, has never been adequate for airline operations and consequently Northeast has never served the point. Although there are plans to enlarge the primary runway to 3000' x 75', this improvement will not make the airport adequate for modern transport aircraft. We note that multicarrier air service to the Newport area is available at Providence's Theodore Francis Green Airport, which is served by four trunklines (American, Eastern, National and United) and two local service carriers (Allegheny and Mohawk). Driving time from Newport is approximately 1¼ to 1½ hours and public transportation is available between Newport and Providence. T. F. Green Airport is a seven minute taxicab ride from Providence.

In view of the foregoing, the Board tentatively finds that there is no present need for scheduled air carrier service at Newport, and tentatively concludes that Northeast's certificate for route 27 should be amended by deleting therefrom Newport, Rhode Island.

[1] Newport was added as an intermediate point between New York-Newark and New Bedford-Fall River, Massachusetts on Northeast's route 27 in the New England Case, 7 CAB 27, decided June 13, 1946.

Accordingly, it is ordered:

1. That all interested persons be and they hereby are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and delete Newport, Rhode Island, as an intermediate point on Northeast's route 27;

2. That interested persons may file a Memorandum [2] in support of or in opposition to the Board's tentative findings and conclusions within fifteen days of the date of service of this order;

3. That if no objections are filed, further procedural steps shall be deemed waived and the matter submitted to the Board for decision;

4. That if objections are timely filed pursuant to paragraph 2 above, this proceeding shall be set for hearing before an examiner of the Board, limited to the consideration of issues raised by such timely filed objections; and

5. That copies of this order shall be served upon Northeast Airlines, Inc., the City of Newport, Rhode Island and the State of Rhode Island, Division of Aeronautics.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 64-10358; Filed, Oct. 9, 1964; 8:48 a.m.]

[Docket No. 14818]

OZARK AIR LINES, INC.

Renewal of Segments 12, 13, 14, and 15; Notice of Hearing

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will commence on Tuesday, November 17, 1964, at 10:00 a.m. (local time), in Room 1027 of the Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Merritt Ruhlen.

Without limiting the scope of the issues to be considered, particular attention will be directed to the following matters:

1. Do the public convenience and necessity require, and if so for what period, the renewal of Ozark's certificate, in whole or in part, authorizing the carrier to provide service on its route 107:

(a) On segment 12 between the terminal point Des Moines, Iowa, the intermediate points Iowa City and Clinton, Iowa, and the terminal point Chicago, Illinois;

(b) On segment 13 between the terminal point Des Moines, Iowa, the intermediate points Cedar Rapids and Dubuque, Iowa, Madison, Wisconsin, and the terminal point Milwaukee, Wisconsin;

(c) On segment 14 between the terminal point St. Louis, Missouri, the intermediate points Quincy, Illinois-Hannibal, Missouri, Burlington, Iowa, Galesburg and Peoria, Illinois, and the terminal point Chicago, Illinois; and

(d) On segment 15 between the terminal point Chicago, Illinois, the intermediate points Sterling-Rock Falls, Illinois, Davenport, Iowa-Moline, Illinois, Cedar Rapids and Ottumwa, Iowa, Kirksville, Missouri, and the terminal point Kansas City, Missouri?

2. Do the public convenience and necessity require service to Kirksville, Missouri, on a route extending between Des Moines, Iowa, and St. Louis, Missouri, via other intermediate points?

For further details of the issues involved in this proceeding, interested persons are referred to the applications and any amendments thereto, petitions, motions, and orders entered in the docket of this proceeding, all of which are on file with the Civil Aeronautics Board.

Dated at Washington, D.C., October 7, 1964.

[SEAL] MERRITT RUHLEN,
Hearing Examiner.

[F.R. Doc. 64-10359; Filed, Oct. 9, 1964; 8:49 a.m.]

[Docket No. 15605; Order E-21362]

TRANS WORLD AIRLINES, INC.

Proposed Surcharges for New Jet Service; Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 5th day of October 1964.

Trans World Airlines, Inc. (TWA) has filed tariff revisions [1] bearing a posting date of August 26, 1964, marked to become effective October 6, 1964, proposing to add one-way first-class and coach jet fares between Amarillo, Wichita, and Tucson, on the one hand, and numerous points on its system, on the other hand. No complaints have been received.

In support of the proposal, TWA states that basically the new jet first-class fares were established by adding a jet surcharge to the present propeller first-class fares and that the new jet coach fares were established by adding the same jet surcharge to either the presently published propeller coach fare or to a fare computed in accordance with the generally accepted formula used by the trunkline carriers, whichever was higher.

The proposed one-way first-class jet fares, as well as some of the jet coach fares, would effect a price increase for jet service commensurate with the jet surcharges the Board has heretofore permitted to become effective for comparable distances. The Board will permit these fares to become effective, including the jet fares from Tucson to

[2] The Board will not separately entertain petitions seeking reconsideration of this order. All requests for relief from, or modification of, this order shall be submitted with such objections as may be made to the issuance of an order making final the above proposed findings and conclusions.

[1] Revisions to Agent Squire's C.A.B. No. 44.

12 other cities, proposed at a level of existing jet fares in these markets.

The jet coach fares proposed for other points,[2] however, would effect increases for jet coach service greater than the surcharges heretofore permitted the domestic carriers for similar distances, and result in greater jet surcharges for coach service than for first-class service. No satisfactory justification has been presented for the larger increases for jet coach service at these points. We find that a significant question is presented as to their lawfulness and we will therefore suspend their use and institute an investigation thereof. Inasmuch as this action is directed to the excessive level of the surcharge, the carrier will be permitted to refile its tariff as to the suspended points using jet surcharges consistent with those the Board has permitted for such distances.

Accordingly, pursuant to the Federal Aviation Act of 1958, particularly sections 204(a), 403, 404, and 1002 thereof,

It is ordered, That:

1. An investigation be instituted to determine whether the fares described in appendix A hereto[3] and rules, regulations or practices affecting such fares are, or will be, unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful and if found to be unlawful to determine and prescribe the lawful fares and rules, regulations or practices affecting such fares;

2. Pending hearing and decision by the Board, the fares described in appendix A hereto are suspended and their use deferred to and including January 3, 1965, unless otherwise ordered by the Board and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. This investigation be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated; and

4. Copies of this order be filed with the aforesaid tariff and be served upon Trans World Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.[4]

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 64-10360; Filed, Oct. 9, 1964; 8:49 a.m.]

[2] Between Amarillo, on the one hand, and New York, Newark, San Francisco or Oakland, on the other; and between Wichita, on the one hand, and Albuquerque, Boston, Chicago, Los Angeles, New York or Newark, on the other.

[3] Filed as part of the original document.

[4] Joint concurring and dissenting statement of Vice Chairman Murphy and Member Minetti filed as part of the original document.

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 15485, 15486; FCC 64M-971]

DIRIGO BROADCASTING, INC., AND DOWNEAST TELEVISION, INC.

Order Continuing Hearing

In re applications of Dirigo Broadcasting, Inc., Bangor, Maine, Docket No. 15485, File No. BPCT-2911; Downeast Television, Inc., Bangor, Maine, Docket No. 15486, File No. BPCT-2952; for a construction permit for new television broadcast station.

The Hearing Examiner having under consideration a motion filed on September 28, 1964 by Dirigo Broadcasting, Inc., one of the applicants herein, requesting that certain changes be made in procedural dates heretofore specified in the above-entitled proceeding; and

It appearing, that the applicants have reached an agreement which it is expected will be filed promptly with the Commission together with request for dismissal of the application of Dirigo Broadcasting, Inc.; and that, in the event of a grant of the request for such dismissal, there will be no need for a comparative hearing; and

It further appearing, that counsel for all parties to the proceeding have informally consented to the immediate consideration and grant of the instant motion;

It is therefore ordered, This 1st day of October 1964, that the motion for change in procedural dates be and it is hereby granted; and the procedural dates are rescheduled as follows:

	Extended from—	To—
Exchange of exhibits	Sept. 28, 1964	Oct. 22, 1964
Hearing	Oct. 12, 1964	Nov. 5, 1964

Released: October 2, 1964.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-10347; Filed, Oct. 9, 1964; 8:47 a.m.]

[Docket No. 15641; FCC 64M-975]

INTERNATIONAL PANORAMA TV, INC.

Order Scheduling Hearing

In re application of International Panorama TV, Inc., Fontana, California, Docket No. 15641, File No. BPCT-3181; for construction permit for new television broadcast station.

It is ordered, This 30th day of September 1964, that James D. Cunningham shall serve as the presiding officer in the above-entitled proceeding; that the hearings therein shall commence at 10 a.m. on November 16, 1964; and that a prehearing conference shall be convened at 9 a.m. on October 30, 1964: and *It is further ordered*, That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: October 5, 1964.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-10348; Filed, Oct. 9, 1964; 8:47 a.m.]

[Docket Nos. 15591, 15592; FCC 64R-468]

NELSON BROADCASTING CO. AND WBNR, INC.

Memorandum Opinion and Order Amending Issues

In re applications of Donald P. Nelson and Wilbur E. Nelson, d/b as Nelson Broadcasting Company, Newburgh, New York, Docket No. 15591, File No. BPH-4212; WBNR, Inc., Newburgh, New York, Docket No. 15592, File No. BPH-4300; for construction permits.

1. The Review Board has before it a Petition to Delete Issue, filed August 24, 1964, by WBNR, Inc.[1]

2. WBNR, Inc., licensee of standard broadcast Station WBNR, Beacon, New York, proposes an FM broadcast service for Beacon's neighboring city of Newburgh, New York. In an order, FCC 64-754, released August 4, 1964, the Commission found that, "apparently through inadvertence", WBNR stated in its application that it proposed to duplicate the programming of standard broadcast Station WBNR 38 hours per day. The Commission, unable to determine whether the proposed FM station would be operated in compliance with § 73.210 (a) of the Commission's rules, which prescribes the minimum number of hours a licensee must originate programs in the place where the station is located, designated the following issue for hearing:

2. To determine whether WBNR, Inc., will operate the proposed FM broadcast station in compliance with § 73.210(a)(3) of the Commission's rules.

3. On August 24, 1964, WBNR, Inc., filed a petition to delete the above issue on the ground that the Commission's

[1] Also before the Board are: Opposition, filed September 3, 1964, by Nelson Broadcasting Co.; comments re WBNR Petition to Delete Issue, filed September 8, 1964, by the Broadcast Bureau; and reply, filed September 16, 1964, by WBNR, Inc. Nelson also filed an "Answer" to WBNR's reply on September 23, 1964. The rules do not provide for the filing of such a pleading. Nelson did not request leave to file an additional pleading (see § 1.45 (c) of the rules). Therefore, Nelson's "Answer" will be stricken. On September 25, 1964, the Broadcast Bureau filed a motion to strike the above "Answer" as unauthorized. However, in view of our action herein, the Bureau's motion has been rendered moot.

designation was predicated on a typographical error contained in WBNR's original application, filed October 5, 1963, which was corrected by an amended application, filed March 4, 1964, 5 months prior to the Commission's designation order. In this amended application, WBNR stated that the number of hours of duplicated programing which it proposes is 38 hours per week. Apparently, in designating issue 2 for hearing, WBNR's timely corrective amendment of March 4, 1964, was overlooked.

4. The Broadcast Bureau interposes no objection to the deletion of issue 2, as requested by WBNR, Inc. However, Nelson Broadcasting Co. opposes this petition on the grounds that a question of WBNR's compliance with § 73.210(a)(3) remains and that there is no way to determine from the information contained in WBNR's original application, filed October 5, 1963, or the amended application, filed March 4, 1964, exactly which FM programs will be duplicated and which will originate from Newburgh.

5. Nelson Broadcasting Co.'s opposition to the deletion of Issue 2 is without merit. First, Nelson contends that WBNR proposes 24.32 hours per week[2] of network programming out of a total of 128 hours per week of total programing. If it is assumed that these 24.32 hours per week are wholly in addition to the 38 hours per week of proposed duplicated programing, WBNR remains within the 50 percent requirement of § 73.210(a)(3), by the use of Nelson's own figures.[3] Further, Nelson's second ground of opposition is predicated on the unavailability of information to determine which FM programs WBNR proposes to duplicate. This matter is not pertinent to the deletion of Issue 2, since § 73.210(a)(3) deals only with the percentage of total programing originating at a station's location and not which specific programs are to be duplicated. The nature of the programs to be duplicated is a matter which can be explored under issue 3, the standard comparative issue. See Central Broadcasting Corp., FCC 64R–399, released August 6, 1964; and Ken-sell, Inc., FCC 64–823, released September 4, 1964.

Accordingly, it is ordered, This 30th day of September 1964, that the petition to delete issue, filed August 24, 1964, by WBNR, Inc., is granted, and that issue 2 specified in the order of designation herein (FCC 64–754, released August 4, 1964) is deleted; and

It is further ordered, That the answer of Nelson to reply of WBNR, filed by Nelson Broadcasting Co. on September 23, 1964 is stricken, and the motion to strike, filed on September 25, 1964, by the Broadcast Bureau, is dismissed.

Released: October 1, 1964.

FEDERAL COMMUNICATIONS COMMISSION,[4]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 64–10349; Filed, Oct. 9, 1964; 8:47 a.m.]

[Docket Nos. 15449, 15450; FCC 64M–979]

SPRINGFIELD TELECASTING CO. AND MIDWEST TELEVISION, INC.

Order Continuing Prehearing Conference

In re applications of Springfield Telecasting Co., Springfield, Illinois, Docket No. 15449, File No. BPCT–2838; Midwest Television, Inc., Springfield, Illinois, Docket No. 15450, File No. BPCT–2846; for construction permits for new television broadcast stations.

It appearing, that counsel for Midwest Television, Inc., is now confronted with an unforeseen conflict in hearing commitments in Commission proceedings which can only be resolved by postponing the date of the Hearing Conference heretofore scheduled for October 9, 1964, to a later date on which all counsel and the Examiner have informally agreed;

It is ordered, This 2d day of October 1964, on the Hearing Examiner's own motion, that the Hearing Conference previously scheduled for October 9 is postponed to October 22, 1964, at 10:00 a.m., in the offices of the Commission, Washington, D.C.;

It is further ordered, That counsel for all parties may supplement their pleadings heretofore submitted with respect to the pending motion to dismiss the application of Midwest Television, Inc., by filing on or before October 19, 1964, their additional comments in light of the Memorandum Opinion and Order of the Commission adopted September 30, 1964 in Docket No. 14711.

Released: October 5, 1964.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 64–10350; Filed, Oct. 9, 1964; 8:47 a.m.]

[Docket Nos. 15476, 15477; FCC 64M–993]

WEZY, INC., AND WKKO RADIO, INC.

Order Continuing Hearing

In re applications of WEZY, Inc., Cocoa, Florida, Docket No. 15476, File No. BPH–4172; WKKO Radio, Inc., Cocoa, Florida, Docket No. 15477, File No. BPH–4173; for construction permits.

The Hearing Examiner having under consideration a joint motion filed October 2, 1964, by the above-entitled applicants requesting that the evidentiary hearing now scheduled to commence on October 6, 1964, be continued for a period of 30 days or until after the Review Board has acted upon an agreement before it; and

It appearing that the reason for the requested continuance is the fact that the applicants have reached an agreement looking towards the dismissal of the application of WKKO Radio, Inc., upon partial reimbursement of expenses, and if said agreement is approved, it will obviate the necessity for a hearing; and

It further appearing that counsel for the Broadcast Bureau does not object to the immediate grant of said motion, and good cause for the requested continuance having been shown;

It is ordered, This the 6th day of October 1964, that the joint motion for continuance is granted and the evidentiary hearing in the above-entitled proceeding is continued to Monday, November 9, 1964, beginning at 10:00 a.m. in the offices of the Commission in Washington, D.C.

Released: October 7, 1964.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 64–10351; Filed, Oct. 9, 1964; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI65–285 etc.]

NATIONAL ASSOCIATED PETROLEUM CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

OCTOBER 2, 1964.

Forrest H. Lindsay, et al., d/b/a National Associated Petroleum Company (Operator), et al. [and other Respondents listed herein]. Docket Nos. RI65–225, et al.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below:

The Commission orders: (A) Under the Natural Gas Act, particularly sections 4 and 15, the Regulations pertaining

[2] WBNR has filed with the Examiner a petition for leave to amend the percentage analysis set forth in item 4(b) of section IV of the application filed March 4, 1964. This amendment does not affect the result reached herein.

[3] Nelson's figures are, however, based on use of percentages in WBNR's program log analysis the accuracy of which Nelson itself has questioned. WBNR's program log itself reveals that it proposes approximately 18 hours per week of network programing. This places WBNR well within the requirements of § 73.210(a)(3).

[4] Member Nelson concurring.

[1] Does not consolidate for hearing or dispose of the several matters herein.

thereto (18 CFR Ch. I), and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date suspended until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before November 16, 1964.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI65-225	Forrest H. Lindsay, et al., d/b/a National Associated Petroleum Co. (Operator), et al., Suite 502, Ritz Bldg., Tulsa, Okla., 74103, Attn: Mr. Forrest H. Lindsay.	2	4	El Paso Natural Gas Co. (Ignacio Area, La Plata County, Colo.).	$325	9-8-64	[2]10-9-64	3-9-65	13.0	[3][4]14.0	
RI65-226	Sunray DX Oil Co., Tulsa 2, Okla., Attn: Mr. Homer F. McEwen, Jr.	107	2	Phillips Petroleum Co. (Azalia Field, Midland County, Tex.) (R.R. Dist. No. 8) (Permian Basin Area).	1,589	9-4-64	[5]10-5-64	3-5-65	[7]12.5446	[3][6][7]13.5482	
	Sunray DX Oil Co.	66	4	Lone Star Gas Co. (Doyle Field, Stephens County, Okla.) (Oklahoma "Other" Area).	4,289	9-4-64	[5]10-5-64	3-5-65	11.0	[3][6]12.0	
RI65-227	El Paso Natural Gas Products Co.,[17] P.O. Box 3986, Odessa, Tex., Attn: Mr. John B. Mason.	2	22	West Lake Natural Gasoline Co.[18] (Nena Lucia Field, Nolan County, Tex.) (R.R. Dist. No. 7-B).	3,305	9-8-64	[8]1-1-65	1-2-65	8.5	[3][9]9.0	RI60-398.
RI65-228	Amerada Petroleum Corp., P.O. Box 2040, Tulsa 2, Okla., Attn: Mr. W. H. Bourne.	101	2	El Paso Natural Gas Co. (Jameson Field, Mitchell County, Tex.) (R.R. Dist. No. 8) (Permian Basin Area) and Nolan County, Tex.) (R.R. Dist. No. 7-B).	538 1,769	9-8-64	[2]10-9-64	3-9-65	[10][11]15.7093 [11][12]14.5	[3][6][10]16.7228 [3][6][12]16.7228	
RI65-229	Barnwell Production Co., Beck Bldg., Shreveport, La.	9	5	Tennessee Gas Transmission Co. (Bethany-Carthage Area, Panola and Harrison Counties, Tex.) (R.R. Dist. No. 6).	1,250	9-4-64	[5]11-1-64	4-1-65	[13]14.4248	[3][6][13]15.4248	
RI65-230	Barnwell Production Co., Agent for J. Paul Ratliff, Jr., et al.	12	25	Tennessee Gas Transmission Co. (Carthage Field, Panola County, Tex.) (R.R. Dist. No. 6).	8,733	9-4-64	[5]11-1-64	4-1-65	[13]13.6200	[3][6][13]14.6392	
RI65-231	Continental Oil Co. (Operator), et al., P.O. Box 2197, Houston, Tex., 77001.	195	3	Cities Service Gas Co. (Chimney Creek Area, Woodward County, Okla.) (Panhandle Area).	1,000	9-8-64	[2]10-9-64	3-9-65	[14]16.0	[3][6][14]17.0	
	Continental Oil Co. (Operator), et al.	170	5	Texas Eastern Transmission Corp. (Cherokee Lake Area, Rusk County, Tex.) (R.R. Dist. No. 6).	30	9-14-64	[5]11-1-64	4-1-65	15.6	[3][6]15.8	RI64-186.
	do	218	4	United Fuel Gas Co. (Northeast Rayne Field, Acadia Parish, La.) (South Louisiana).	5,040	9-14-64	[5]11-1-64	4-1-65	[13]20.7	[13][4][13]21.5	RI63-88, et al.
RI65-232	Placid Oil Co. (Operator), et al., 600 Beck Bldg., Shreveport, La.	11	10	Tennessee Gas Transmission Co. (Bethany Field, Panola County, Tex.) (R.R. Dist. No. 6).	1,400	9-14-64	[5]11-1-64	4-1-65	[13]14.4248	[3][6][13]15.4248	
	Placid Oil Co., (Operator), et al.	1	11	do	5,500	9-14-64	[5]11-1-64	4-1-65	[13]14.4248	[3][6][13]15.4248	
RI65-233	Ruth Phillips Bisiker, c/o Kilgore & Kilgore, 24th Floor, Adolphus Tower, Dallas, Tex., 75202.	1	3	Tennessee Gas Transmission Co. (Seeligson Field, Jim Wells County, Tex.).	4,800	9-8-64	[5]11-1-64	4-1-65	[13][15]14.6	[3][6][13]15.6	
RI65-234	Grampian Company, Ltd., c/o Kilgore & Kilgore, 24th Floor, Adolphus Tower, Dallas, Tex., 75202.	1	4	Tennessee Gas Transmission Co. (Seeligson Field, Jim Wells County, Tex.) (R.R. Dist. No. 4).	1,600	9-8-64	[5]11-1-64	4-1-65	[13][15]14.6	[3][6][13]15.6	
RI65-235	Forest Oil Corp. (Operator), et al., 1300 National Bank of Commerce Bldg., San Antonio, Tex., 78205.	11	7	Texas Eastern Transmission Corp. (Sal del Ray and La Jara Fields, Hidalgo and Willacy Counties, Tex.) (R.R. Dist. No. 4).	1,804	9-14-64	[5]11-1-64	4-1-65	15.6	[3][4]15.8	RI64-164, et al.
RI65-236	W. L. Pickens, et al., 2000 Fidelity Union Tower, Dallas 1, Tex. Attn: Mr. James V. Landress.	3	1	South Texas Natural Gas Gathering Co. (Penitos Field, Hidalgo County Tex.) (R.R. Dist. No. 4).	7,670	9-14-64	[5]10-15-64	3-15-65	[13]14.0	[3][4][13]15.0	

[2] The stated effective date is the first day after expiration of the required statutory notice.
[3] Periodic rate increase.
[4] Pressure base is 15.025 p.s.i.a.
[5] The stated effective date is the effective date requested by Respondent.
[6] Pressure base is 14.65 p.s.i.a.
[7] Subject to reduction of 0.4467 cent per Mcf for compression of low-pressure gas.
[8] End of suspension period for West Lake's related increased rate in Docket No. RI65-79.
[9] Revenue-sharing rate increase.
[10] Rate for gas produced from Mitchell County (Texas R.R. Dist. No. 8).
[11] Initial rate.
[12] Rate for gas produced from Nolan County (Texas Railroad Dist. No. 7-B).
[13] Subject to a downward B.t.u. adjustment.
[14] Includes 1.0 cent per Mcf paid by buyer for dehydration and delivery of gas to point of delivery. Rate is also subject to a downward B.t.u. adjustment.
[15] Two-step periodic rate increase.
[16] Rate is the result of a settlement offer approved by Commission order issued May 5, 1962, in Docket No. G-19935, Dunlap Oil Corp., predecessor in interest.
[17] A wholly owned subsidiary of El Paso Natural Gas Co.
[18] For resale to El Paso Natural Gas Co. under West Lake Natural Gas Co. (Operator), et al., FPC Gas Rate Schedule No. 1.

Forrest H. Lindsay, et al., d/b/a National Associated Petroleum Company (Operator), et al., request an effective date of September 10, 1964, for their proposed periodic rate increase; Amerada Petroleum Corporation requests that its proposed rate increase be permitted to become effective as of August 1, 1964, the contractually provided effective date, and Continental Oil Company (Operator), et al. (Continental), request an effective date of September 1, 1964, for their proposed rate filing designated as Supplement No. 3 to Continental's FPC Gas Rate Schedule No. 195. Good cause has not been shown for waiving the 30-day notice requirement provided in Section 4(d) of the Natural Gas Act to permit an earlier effective date for the aforementioned producers' rate filings and such requests are denied.

El Paso Natural Gas Products Company (Products Company), a wholly owned subsidiary of El Paso Natural Gas Company (El Paso), proposes a revenue-sharing increase for a sale to West Lake Natural Gas Company (West Lake), 50 percent of which is owned by El Paso Natural Gas Company, who gathers and processes the gas and resells it to El Paso under its Rate Schedule No. 1 and pays its suppliers 50 percent of the amount it receives from El Paso. On July 1, 1964, West Lake filed for a periodic increase from 17.0 cents to 18.0 cents per Mcf for its sale to El Paso, which exceeded the area ceiling of 11.5 cents per Mcf for increased rates and was suspended by the Commission until January 1, 1965, in Docket No. RI65-29. Products Company's proposed rate increase is based upon West Lake's suspended 18.0 cents rate. Although the instant filing is below the area ceiling, it is suspended until January 2, 1965, one day after the end of the suspension period for West Lake's related increased rate.

With the exception of the increased rate filed by Products Company, referred to above, all of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Ch. I, Part 2, § 2.56).

[F.R. Doc. 64-10280; Filed, Oct. 9, 1964; 8:45 a.m.]

FEDERAL MARITIME COMMISSION

ISTHMIAN LINES, INC., AND SEATRAIN LINES, INC.

Notice of Agreements Filed for Approval

Notice is hereby given that the following Agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Harvey M. Flitter
Assistant Traffic Manager
Seatrain Lines, Inc.
595 River Road
Edgewater, New Jersey

Agreement 9385 between Isthmian Lines, Inc., and Seatrain Lines, Inc., establishes a through bill of lading arrangement for the transportation of general cargo from loading ports in the Philippines, Federation of Malaya, State of Singapore, Thailand, South Viet Nam, Cambodia, Indonesia, Burma, India, Pakistan, Ceylon, Persian Gulf, Red Sea, and Gulf of Aden ports, and ports in Egypt, Lebanon, Syria, Turkey, and Greece, to ports in Puerto Rico with transshipment at the port of New York, N.Y., under the terms and conditions set forth in the agreement.

Dated: October 7, 1964.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-10339; Filed, Oct. 9, 1964; 8:46 a.m.]

PHILLIPS PETROLEUM CO. AND UNITED FRUIT CO.

Notice of Agreements Filed for Approval

Notice is hereby given that the following Agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Alan F. Wohlstetter, Denning & Wohlstetter,
Attorney for United Fruit Company
One Farragut Square South
Washington, D.C.

Agreement No. T-589, between Phillips Petroleum Company (Phillips) and United Fruit Company (United), provides for a list of rates at which Phillips will make Berth 9 at Adams Terminal available to United, on a first come, first served basis. The agreement specifies a level of charges to be assessed for wharfage, "terminal charge", truck weighing, railcar weighing, covered storage, dockage, and electricity.

Dated: October 7, 1964.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-10340; Filed, Oct. 9, 1964; 8:46 a.m.]

STATES MARINE LINES, INC., ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following Agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Harvey M. Flitter
Assistant Traffic Manager
Seatrain Lines, Inc.
595 River Road
Edgewater, N.J.

Agreement 9387 between States Marine Lines, Inc., Global Bulk Transport Incorporated (as one member only), and Seatrain Lines, Inc., establishes a through bill of lading arrangement for the transportation of general cargo from loading ports in Japan, Korea, Hong Kong, Formosa, Philippines, South Viet Nam, Cambodia, Thailand, Federation of Malaya, State of Singapore, Indonesia, Burma, Egypt, Lebanon, Syria, Turkey, and Greece to ports in Puerto Rico with transshipment at the port of New York, N.Y., under the terms and conditions set forth in the agreement.

Dated: October 7, 1964.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-10341; Filed, Oct. 9, 1964; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-1719]

FUNDAMENTAL INVESTORS, INC.

Notice of Application for Order Exempting Sale of Shares at Other Than Public Offering Price in Exchange for Assets of Private Investment Company

OCTOBER 6, 1964.

Notice is hereby given that Fundamental Investors, Inc. ("applicant"), Westminster at Parker, Elizabeth 3, New Jersey, a registered open-end diversified investment company and a Delaware corporation, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 22(d) of the Act the proposed issuance of its shares at net asset value for substantially all of the assets of Distribution Warehouses, Inc. ("DWI"), a Michigan corporation. All interested persons are referred to the application as filed with the Commission for a complete statement of the representations therein, which are summarized below.

As of June 30, 1964, the aggregate net asset value of applicant's assets was $844,926,129 and there were 76,237,309 shares outstanding, with a net asset value of $11.08 per share. Applicant's shares are offered to the public on a continuous basis at net asset value plus a varying sales charge dependent on the amount purchased.

DWI is a personal holding company with seven stockholders and is exempt from registration under the Act by reason of the provisions of section 3(c)(1) thereof. Pursuant to an agreement between applicant and DWI the net assets of DWI, with a value of $938,221 as of June 30, 1964, will be transferred to applicant in exchange for shares of stock of applicant. Among DWI's assets are shares of common stocks of twelve corporations which are presently represented in applicant's portfolio and which applicant desires to acquire and intends to retain in its portfolio. Such common stocks, on June 30, 1964, had a market value of approximately $425,525. DWI also holds shares of common stock of nine other corporations with a market value, as of June 30, 1964, of $303,765, which applicant also desires to acquire and intends to retain in its portfolio. Other assets of DWI include an aggregate of $200,000 of United States Treasury Bills, due November 5, 1964, which applicant will acquire. DWI will retain sufficient cash to provide for taxes, expenses and contingencies.

On June 30, 1964, the unrealized appreciation in the assets of DWI which are to be transferred to applicant, was $170,272 and the the unrealized appreciation in the assets of applicant was $347,571,417. At the present time, the percentage of unrealized appreciation in the assets of applicant is in excess of the percentage of unrealized appreciation in the assets of DWI. Therefore, no adjustment is deemed necessary by applicant for possible tax consequences to its shareholders.

If the percentage of unrealized appreciation in the assets of DWI should exceed such percentage in the assets of applicant at the closing date, then since applicant may acquire securities from DWI at a tax cost basis less than the actual price paid therefor, the sale after acquisition may result in a capital gain thereon to the present shareholders of applicant. It has been agreed that if the unrealized appreciation on the assets acquired from DWI is greater proportionately than the unrealized appreciation on applicant's assets at the closing time, the value of DWI's assets will be reduced by 10 percent of such excess appreciation, in order to compensate present shareholders of applicant for possible adverse tax consequences in the event of future sale of the assets acquired from DWI.

The number of shares to be transferred to DWI shall be determined by dividing the aggregate net asset value of the assets of DWI to be transferred, adjusted, if necessary, as set forth above, by the net asset value per share of applicant's capital stock. All computations of net asset values and unrealized appreciation are to be determined as of the close of business on the last business day next preceding the closing date.

Under the terms of the transaction, if the closing had taken place on June 30, 1964, DWI would have received 84,676 shares of applicant's stock at net asset value in exchange for assets with a market value on that date of approximately $938,221. The shares of capital stock of applicant received by DWI will be distributed to DWI's stockholders. The holders of substantially all of DWI's issued and outstanding shares will represent in writing that the shares of applicant to be received by them will be acquired for investment with no present intention of redeeming or otherwise transferring any such shares.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus, with certain exceptions not applicable here. Under the terms of the agreement between applicant and DWI, however, the shares of applicant are to be issued to DWI at a price other than the public offering price stated in the prospectus.

Section 6(c) of the Act authorizes the Commission by order upon application to exempt, conditionally or unconditionally, any transaction from any provision of the Act or any rule or regulation thereunder, if and to the extent that the Commission finds that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than October 22, 1964, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 64-10332; Filed, Oct. 9, 1964; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-XIII Amdt. 2]

SEATTLE REGIONAL AREA

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 9) as amended, 29 F.R. 11777, 12570 and 13354, Delegation of Authority No. 30-XIII, as amended, 29 F.R. 12499 and 12992, is hereby further amended by revising Items I.C.3., and I.K.1. and I.K.2.a. to read as follows:

1.

I. • • •
C. • • •
3. To approve the following:
a. Business loans
(1) Direct not exceeding $350,000.
(2) Participation not exceeding $350,000.
b. Disaster loans
(1) Direct not exceeding $350,000.
(2) Participation not exceeding $350,000.

2.

I. • • •
K. • • •
1. To approve the following:
a. Direct loans not exceeding $100,000.
b. Participation loans not exceeding $250,000.
c. Simplified Bank Participation loans not exceeding $350,000.

d. Simplified Early Maturities Participation loans not exceeding $350,000.

e. Direct disaster loans not exceeding $350,000.

f. Participation disaster loans not exceeding $350,000.

3.

I. * * *

K. * * *

2. To decline the following:

a. Business loans not exceeding $250,000.

* * * * *

Effective date: September 14, 1964.

WILLIAM S. SCHUMACHER,
Regional Director,
Seattle.

[F.R. Doc. 64-10338; Filed, Oct. 9, 1964; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

OCTOBER 7, 1964.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 39306: *Fertilizer to Klamath Falls, Oreg.* Filed by North Pacific Coast Freight Bureau, agent (No. 64-2), for interested rail carriers. Rates on fertilizer, dry, in bulk or in packages, in carloads, from Hedges, Wash., to Klamath Falls, Oreg.

Grounds for relief: Market competition.

Tariff: Supplement 52 to North Pacific Coast Freight Bureau, agent, tariff I.C.C. 1043.

FSA No. 39307: *Liquid caustic soda to Danville, Va.* Filed by Traffic Executive Association-Eastern Railroads, agent, (E.R. No. 2741), for interested rail carriers. Rates on liquid caustic soda, in tankcar loads, from Grasselli, N.J., to Danville, Va.

Grounds for relief: Market competition.

Tariff: Supplement 68 to Traffic Executive Association-Eastern Railroads, agent, tariff I.C.C. C-334.

FSA No. 39308: *Lignite screenings to Drayton, N. Dak.* Filed by Northern Pacific Railway Co. (No. 136), for itself. Rates on lignite screenings, in carloads, from Beulah, Republic, Truax, and Zap, N. Dak., to Drayton, N. Dak.

Grounds for relief: Intrastate competition.

Tariff: Supplement 7 to Northern Pacific Railway Co. tariff I.C.C. 22.

FSA No. 39309: *Grains and related products within southern territory.* Filed by O. W. South, Jr., agent (No. A4575), for interested rail carriers. Rates on grains and soybeans in carloads, between points in southern territory, also Virginia cities gateway points, on the one hand, and points on the CB&Q RR (Sesser to Mermet, Ill.), on the other.

Grounds for relief: Short line distance formula and grouping.

Tariffs: Supplements 24 and 1 to Southern Freight Association, agent, tariffs I.C.C. S-424 and S-483, respectively.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-10335; Filed, Oct. 9, 1964; 8:46 a.m.]

[Notice 1059]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 7, 1964.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 66829. By order of September 30, 1964, the Transfer Board approved the transfer to Jenney Freight Line, Inc., Tucson, Ariz., of the certificate of registration in No. MC 120092 Sub 1, issued August 20, 1964, to William LeB. Jenney, doing business as Jenney Freight Line, Tucson, Ariz., authorizing the transportation of freight with certain exceptions between specified points in Arizona. James B. Greenwood, 125 Bisbee Road, Bisbee, Ariz., 85603, attorney for applicants.

No. MC-FC 67037. By order of September 30, 1964, the Transfer Board approved the transfer to Berkshire Travel Agency, Inc., Reading, Pa., of the operating rights issued by the Commission October 20, 1961, under license No. MC 12752, to Reading Automobile Club International Travel Department, doing business as Reading Automobile Club, Reading, Pa., authorizing the transportation of passengers and their baggage, between Reading, Pa., on the one hand, and, on the other, airports, docks, and piers at New York, N.Y., Newark and Hoboken, N.J., Baltimore, Md., and Washington, D.C. L. C. Major, Jr., Turney, Major, Markham & Sherfy, 2001 Massachusetts Avenue NW., Washington, D.C., 20036, attorneys for applicants.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-10336; Filed, Oct. 9, 1964; 8:46 a.m.]

Title 2—THE CONGRESS

ACTS APPROVED BY THE PRESIDENT

EDITORIAL NOTE: After the adjournment of the Congress *sine die*, and until all public acts have received final Presidential consideration, a listing of public laws approved by the President will appear in the daily FEDERAL REGISTER under *Title 2, The Congress*. A consolidated listing of the new acts approved by the President will appear in the Daily Digest in the final issue of the Congressional Record covering the 88th Congress, Second Session.

Approved October 8, 1964

S. 653 ..... Public Law 88-639

To provide an adequate basis for administration of the Lake Mead National Recreation Area, Arizona and Nevada, and for other purposes.

S. 1531 ..... Public Law 88-640

To increase the appropriation authorization for the completion of the construction of the irrigation and power systems of the Flathead Indian irrigation project, Montana.

S. 2687 ..... Public Law 88-633

To extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

H.R. 9718 ..... Public Law 88-636

To authorize the crediting of certain military service for purposes of reserve retired pay.

H.R. 12308 ..... Public Law 88-637

To authorize removal of a flight hazard at the United States Naval Air Station, Norfolk, Virginia.

CUMULATIVE CODIFICATION GUIDE—OCTOBER

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